

THE
LONDON-MASTER :
OR, THE
JEW DETECTED.

CONTAINING

- I. A True Discovery by what Tricks and Devices the Ship *Laurel* of *London*, with a rich Cargo, worth several thousand pounds, was cast away in a most horrible manner in the River of *Kill-mare* in *Ireland*.
- II. The evil Motives of Lucre that instigated them to that Wickedness.
- III. Their bloody Designs to have Sixteen Innocent Persons question'd for their Lives, for pretended Felony and Treason.
- IV. A brief Apology to the Clergy, the Army, and the *London-Masters*.
- V. An Appendix to prove every Allegation, directed by the Margent.

Qui color albus erat, nunc est contrarius albo.

Printed at *Dublin*, and are to be sold at the Treasury Coffee House in *Crane-Lane*, at Mr. *Norman's* in *Damers-Street, Dublin*; at Mr. *Jones's* in *Cork*, and Mr. *Letcher's* in *Tralee*. And the Original Vouchers are to be seen at the said Coffee-House. 1694.

Orpen (R.)

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To the Right Honourable,

CHARLES

Lord Baron of *Shelburne*.

May, it please your Lordship,

HAVING the Honour of being a
Servant both to your Lord-
ship and your Excellent and
most Worthy Father, and
from my Infancy a dependance upon
your Family, I humbly presume to dedi-
cate the following Narrative to your
Lordship, being an Account of a most
Scandalous Examination, given by one
Jacob Myars (a Jew) which has not on-
ly brought me, but also a great part of
the Kingdom, under severe Censure and
Reflexion; as if the Ship *Laurel* had
been most barbarously plunder'd by the
Countrey through some Contrivances
of mine; a Crime so abominable, that
were I guilty, I deserve not only to be
dismiss your Lordships service, but to be
stigmatiz'd, and excluded from the So-
ciety of Mankind. Yet as the glim-
mering

mering Candle being snuff'd, does straightway give the clearer Light, so I doubt not but your Lordship will find by perusing this Narrative, That their false Insinuations and Unjust Aspersions will cause my clouded Innocence to shine so much the brighter.

These and other Considerations obliges me to publish matter of Fact: And since Addresses of this kind are a mode of the Times, and that it hath pleased the Divine Powers by their several Endowments of Learning, Wisdom, Justice, and divers other Honourable and Virtuous Qualities, to bless You as a Pattern to the Age You live in; I shall not omit, in all Humility, to beg Your Lordships Favour in other Occurrences, but to this no manner of Patronage, other then to Read and Judge one that desires Life no longer than while he demeans himself a faithful Subject to their Majesties, and in all Sincerity and Truth,

Your Lordships most steady, and

most Obedient Servant,

RI. ORPEN.

IN
LOCO PRÆFATII.

Since it is in a manner as unfashionable to write without a Preface, as it is to Dance before you have first made your Honours; so it may be as morose to urge the Reader to jump at once from the Title page into the Book, without leading him thither Modishly by a Preface; tho' otherwise the Title page it self might have supplyd that.

When an infamous Rumor has once taken place in the ~~minds~~ of the Publique, it's as difficult a matter to remove the impression, as to confute a Bigot in his first received Opinion of Religion; the nature of the one aspiring to judge, being prone to Positiveness and Censure, is as ready to condemn upon false information, as on the other side to applaud and cry up a person for some great Merit, that never deserved it: so the other shall, for want of Arguments, stand up, Rail and Redden, nay venture his life, and fight for that which he knows no more of then the Game-Cock when carry'd

ry'd from the Pit, knows of the grounds of that Battle wherein he has all day so inveteratly managed the Gauntlet against his like ignorant Challenger. The more uncensorious and impartiall, are perhaps waiting for the true Narrative of that matter, which is said to be nine parts of ten of the present discourse of many Courts, Exchanges, Walks and Coffee-houses throughout Christendom. But least this may be over-masted, and so provoke the passionate Inquisitor impatiently, to say that There is too much Sail for such a Vessel, we shall here put the Reader aboard, and then let him speak as he finds.

THE

THE LONDON-MASTER:

OR, THE

FEW DETECTED, &c.

IN the West of *Ireland*, in the Province of *Munster*, lieth the River of *Kilmare*, about 11 Leagues from the Main up into the Countrey, adorned on each side with divers capacious and defencible Harbours, wherein thousands of the best Ships may safely ride at once, with ready Outlets for the Outward or Homeward bound Ships; and many Conveniencies for great Fisheries, as Herring, Pilchard, and Salmon; To say nothing of divers kinds of Hook-Fish, as Hake, Cod, Ling, Polluck, Mackarel, &c. wherewith this River aboundeth, capable of Trade both by Sea and Land; as it was before the last War, after Sir *William Petty* had erected several considerable Fisheries, built the Iron-Works, opened the Lead-Mines, and promoted the Trade of Rape-Seed on each side of the River, and planted a Collony there of 815 Souls of English Protestants at his Expence of above 10000 *l.* Sterl. to the general Enrichment of that

that part of the Kingdom, and the great Augmentation of the Kings Revenue; all which were demolish'd and destroy'd by the last Wars and not above 75 of those Protestants now left in being; so greatly the Heirs of Sir *William Petty*, and this Collony of Protestants, have been Sufferers in the late Troubles by their Adventures in that desolate part of the Kingdom, where the Natives by the right Numbering of the People were found to be above 900 Papists to one single Protestant; who were never thorowly subdu'd since the War of 1641, nor in the best of times brought amenable to the Laws of *England*, until the same was performed, in a great measure, by this English Plantation; where now again, ever since the last War, 20, 30, and sometimes 100 at a time of *Tories* have march'd openly in Arms up and down that Country, and upon the approach of any considerable part of the Army, have disperst themselves into smaller Companies and are conceal'd among the Glins and Fastnesses; where if any of the Inhabitants are suspected as Discoverers, They and their Friends are immediately destroyed, by burning their Houses, cropping their Ears, and cutting out their Tongues, and sometimes keeping them Prisoners whole Nights, stark naked, in the open Fields.

Into this River, as a place for the purpose, arrived the *Laurel of London*, *Christopher Ly* Master, she carry'd ten Guns, Burthen 150 Tuns richly

richly Laden (as gather'd from the Master and People belonging to her) with Sugars, Log-wood, Fastick, Lyme - Juice, Indigo, Ginger, Cotton, Paint, Pemento, and great store of Gold and Silver, and divers Ingots besides; from *Jamaica*, bound for *London*, having on Board as Passengers, *Jacob Myars* (the Jew) and *Peter Row*, as also one Mr. *Spyers*, who was said to be Son-in-law to one of the Owners of the Ship, but so indispos'd and sickly, that it's doubtful whether he vvas concern'd in the Stratagem or not. They gave an account that on the 27th of *January* 1693, in the morning, they were four Leagues to the West of the *Bull, Cow, and Calf*, when first they made them, and believ'd them to be the *Skellox*, until they were undeceiv'd by the Main Land so near them; and tho' they declar'd a Resolution for *Kinsale*, and to lye there until some Ship of War could come and receive them into her care, and convoy them safe for *London*; yet one may conclude that they shap't an extravagant careless Course, to stand for the River of *Killmare*; vvhenceas the wind being at West, four leagues to the west of the *Bull, &c.* They might sail in a manner right before it, for the *Old Head* of *Kinsale*; The heavens acted nothing to the contrary; and had they designed vvhath they pretended, It's very manifest by Scale and Flower-de-luce, and by the accompts of the Winds, and the sufficient good order of the Ship, that she might have arriv'd there vwith less difficulty then she did in *Killmare*. B But

But *Killmare* was the place allotted for the fatal knock, which without Resolution, or premeditated intention, could not be well accomplish'd in that River, by reason of the many Harbours gaping on every side thereof to receive and entertain any Ships whatever, and by reason of the boldness of the Shores upon the River, and all these Harbours; so as a Ship Turning up the River, or into the Harbours, may safely dare to Nose every Rock with her Boltsprit; I say not well to be accomplisht, especially while the wind held its own at W. the River lying W. S. W. and E. N. E. but two points from blowing directly up the River, and might very well serve for putting into any of these Harbours; *Capanacoffy* is the only Shore and lyeth near the upper end of the River; But so landlockt, that there is no manner of Danger, because the greatest Winds have not power to create Seas, or to make any, more then a small cockling of the water; And 'tis to be observed for ever, that it's the Seas, and not the Winds, can do a Ship any considerable prejudice in cases of distress of this kind; for let the Winds be never so violent, a Ship shall never beat in smooth Waters.

Into this River, as the place of Execution, they arrived on the 27th of *January* 1693, in the evening, and dropt their best Bower, and so came to an Anchor under *Rossmore*-point, about midway up the River, where, as the winds continued still at West, she might ride well enough, as she

did all that night, for they were not resolved to
 cast her away untill they had fix'd upon a con-
 venient shore to save themselves, and their mo-
 ny, in their long-boat. That evening they had
 a full prospect of the greatest part of the River,
 and the openings of the several Harbours; Next
 morning, a little after Six a clock, they cut their
 Cable, pretending that she would not ride for
 want of the Mizen-Mast, for they had taken
 care to cut That by the board, before she came
 into the River, to prevent her yawing as she sayl'd
 afore the winds, as tho' nothing could prevent it,
 but the cutting away of that Mast; But the rea-
 sons why they wounded and hackt the main-yard,
 the fore-yard, and the fore-top-saile-yard in sever-
 al places about the middle of the yards, are yet
 kept to themselves. But would they speak ingeni-
 ously, they must say 'twas done that they might
 crack and break in sunder when the sails should
 fill with the violent winds, and thereby make
 the greater shew of distress? Having cut the Ca-
 ble, she drove up along the north side of the Ri-
 ver, and coming towards *Black-Water*, a very
 good Harbour, and right afore the wind, which
 now veer'd to the S.W. they made ready, and the
 Master, Passengers, and the whole Ships company,
 got out with their Treasure of Gold and Silver,
 and in their long-boat they came ashore at *Black-*
Water, and presently sunk their boat, and marcht
 up by land along the River side, about two miles
 from *Black-Water* to the house of one *Dermot*

mac Owen, at *Cappanacossy*, about seven a
 Clock that morning ; but their Ship was got
 6 to *Cappanacossy* almost as soon as they, without
 11 a Soul on board her, where she drove to and fro
 6 before their faces, with the Flood and Ebb, all
 12 that day ; while the Master, Passengers, and
 21 Company, divided the Treasure among them-
 22 selves, to every one a share ; and sent for Li-
 1 quor from on board, to make themselves and
 12 the Country People merry, Renouncing their
 Ship, and declaring her a Wreck, in a place
 3 where a Ship could not be lost, but by some
 Sinister means.

But their greatest concern was how to provide
 Horses and Conveniencies to carry themselves
 12 and their Treasure out of the Country, without
 any manner of regard to their Ship or Cargo :
 They mockt and spurn'd at every body that ad-
 vised them to betake themselves to their Ship ;
 And such as were importunate to have her saved,
 2 they caused to be soundly drubb'd.

Having spent that day in jollity and carrouf-
 ing after the Treasure was distributed, The
 13 Master at length was prevail'd upon to write to
 Mr. *Thomas Palmer*, a Minister, and one of
 the Justices of the peace of that County, living
 about three miles up the River side from *Cap-
 ponacossy*. And in his letter he pretended some
 31 distress, and that he had not a sail left ; tho' at
 18 the same time, there was a whole suit on board :
 25 Whereupon Mr. *Palmer* went to him in the even-
 ing,

g, and told him that his Ship was in very 13
 tile danger, and advis'd him to get his men to- 33
 ether, and go on board again; But the Ma-
 ster seem'd to despair of ever getting her out of 7
 that place, and desir'd that some of the Country 12
 people might make the most they could of her.
 But Mr. *Palmer* bid him still be of good courage,
 and told him that *she could be saved without any*
manner of difficulty; And then by further discourse,
 he understood that they had great quantities of
 Gold and Silver at *Dermot mac Owen's* house,
 and did therefore alarm them to go on board 33
 with their Treasure; telling them, that the 7
 Country abounded with Tories, and that their 13
 Ship was the best Garison in those parts; upon 7
 which apprehension of the Tories, the Master 33
 and his Passengers, and Seamen, repair'd again to their
 Ship with all expedition, and were afterwards
 more cautious in their designs; Yet took no
 manner of care to preserve the Ship; but dis-
 sentenanced, and rejected several skillfull Sea- 2
 men of the Country, when they offered to bring 8
 her into a good Harbour. 3
 Mr. *Palmer* Returned home that night, and 21
 sent several of the English People with Men, and 33
 Boats, to fetch off the Ship, the night being fine 25
 and calm; And sent some Soldiers likewise on 29
 Guard, lest the Rabble of the Country, or the To- 19
 ries, should make any attempt upon her; But all 33
 to no purpose, for the master would not suffer 19
 them to get her away, But got up a Cask of 29
 Rum,

25 Rum, and therewith set all that were on board
 33 to make themselves merry ; and so the Master
 2 and the rest of the Ship Crew, pass'd away that
 6 fine night, without suffering her to be brought to
 a convenient Harbour.

Next morning being the 29th, *Jacob Myars*
 7 *Peter Row*, the mate of the Ship, and the greatest
 part of the seamen, went off by Boat with their
 Treasure in some Chests, and put the same a-
 shore at *Mr. Palmer's* house, which were handed
 in by their own men, and set them in an open
 7 room to the view of every body that came in,
 33 without acquainting *Mr. Palmer* that there was
 any thing besides their cloaths in the Chests.
 And on the same day *Mr. Palmer* and *Mr. Myars*
 rid down to *Cappanacossy*, and took along with
 them one *Mr. Richard Orpen*. (Son inlaw to *Mr.*
Palmer) to consider the best and speediest means
 for saving of the Ship, &c. he having judgment in
 33 Shiping, who went on board along with *Mr. My-*
ars, leaving *Mr. Palmer* (being a corpulent man)
 21 ashore; As soon as *Mr. Orpen* got a board (being
 24 about half flood) he examined the Pump, and
 30 found that the water was black and stunk ; And
 thereupon told the Master that the Ship was tight
 and that she was in no manner of danger, and
 told him also that there were a great many men
 33 coming down from *Mr. Palmers* to lighten and
 get off the Ship, and that they would bring her
 off that very tyde ; And desired him to hoist up
 all the heavy Goods that could be readily come

ward to be put ashore, and also his Guns, for that their weight aloft, would incline her to swaddle; adding, that one pound aloft would do her more prejudice than ten a low, and bid him strike the fore-top-mast as well as the main-top-mast, and told him that she would ride the quieter, especially while she had no Mizen;

To all which discourse, the Master answered nothing, onely said, that he could not part with his Gunns, that he must keep them for his defence, at least peradventure he should be at any time attacked by the French Privateers; whereupon Mr. Orpen told him that the Gunns could be of no great use to him in that condition, since that the Privateers could engage him (where he lay) in no other manner than in their Longboats; and Mr. still advised him if he would putt his Gunns ashore, and make a Battery near his Ship; it would do much better, and that he should be furnish'd with men enough with small-arms on board, which would be more proper against the Long-boats, one of the Gunns countervailing the weight of eight men or thereabouts; But the Master would not hearken to it; Mr. Orpen discours'd him further, and asked him how many men belonged to the Ship, he answered nine, and two boys; and being asked how many of them he quartered to each Gunn? and how many to the small-arms? He retted at the discourse, and said, tho' he had not men enough for the Gunns, yet he would not part with them, but would keep them for a shew;

a very pretty shew indeed ! when all the Gunns
except two, lay heads-and points along-ships up
24 and downe the decks, and remain so still ; But
the dialogue rested not there, for Mr. Orpen en-
quired of him about his Anchors and ground
tackle, and their condition ; and what anchors he
had then out ? The Master answerd that she
25 ridd only by the Kedg-anchor and a small warp
That they had lost their best Bower at *Ross-more*
when they cut two days ago, and that they
had a very good Cable. But their sheet anchor
wanted a stock ; upon which Mr. Orpen desired
the master to send his Carpenter, who was the
24 on board to make a stock, and shewed him where
there was good season'd timber within two hun-
dred yards of the Ship : And promised, that
some of the Tenants should assist the Carpenter
25 and that a stock should be fitted for him in less
then an hours time ; But the Master would not
accept of the offer : This kind of discourse held
them till near two o'clock, about which time
24 'twas high water ; and Mr. Orpen walkt upon the
Quarter-deck, and sent down for the Master, who
was making merry with some company in the
great Cabbin, and observed to him that the Ship
flected, and sheard to and again, and bid him
his men to work and get her off, the wind being
temperate, and kindly shifting to the N. W.
25 whereupon he made a sputter up and down the
Decks, as tho' he would have got his men to work
upon the Ship ; but at length, he answerd that all he
Shi

Ships Company, to two, were ashore at Mr. Palmer's, along vwith the Passengers; so that he miss'd getting her off that Tyde for vvant of his men; vvwhose minds leand more tovwards the Treasure, than tovwards the Ship and Cargo.

While Mr. Orpen was yet on board, he ordered that a Countrey Fellow, who was brought before him for some Petty Larceny, should be forthwith ty'd Neck and Heels, and be exposed upon the Open Deck, that others might take Example by him; but the Master neglecting to have it done, the Fellow slipt over the side into a Boat: But so zealous was Mr. Orpen to serve the Master, that he ordered the Fellow to be brought on board again, and had both his hands ty'd to the Gang-Way, and with a Ropes-End was beaten with many stripes, to the terror of others of the Countrey that were present, and beheld this severe Infliction for so small a Transgression against the Master.

In the mean time, the greatest part of the Seamen went from Mr. Palmers to *Roughy Bridge*, a small Village about 2 miles from thence, and carry'd their Proportions of the Treasure with them.

Mr. Orpen took leave of the Master in the Evening after Sun-set; and presently afterwards there came to the Ship several stout boats manned with English men and their servants, which were sent by Mr. Palmer to bring the Ship out of that place,

24 place, and being almost glorious calm night, full Moon, the Ship fleeting, and the spring Tyde yet increasing, nothing was more possible then to tow her away as in a Mill-pond.

29 The men went on couragiously on board, overjoyd to see how the Winds, the Tyde, the heavenly Luminaries, and every thing, conspir'd together towards their good success, to relieve the Master in that his pretended misfortune; and heartily spoke to him and told him; Sir, we are

25 *now come to bring off your Ship, which (with the help of God) we will accomplish without any*

29 *manner of difficulty;* whereupon the master answered them in a wrathful sort of dialect, and in a rage

3 bid them all get out of his Ship; some of them

24 reply'd, *That they came to do him good service, and*

29 *deserved not to be so treated; and admired his*

24 meaning, and told him, *That they heard that the*

4 *Torys did resort near the shores, to robb people as*

they came and went by land to and from the Ship,

and that themselves could not well row back a

gainst the violent Ebb of a spring, (being then

near high vvater) and 'twas not safe for them to

go ashore, least they should fall into the hands of

their enemies: but he told them again that he

cared not what became of them, and if they did not

hasten out of his Ship, he would fire upon them

and so retires furiously, as though he resolved to

19 *bring some small arms to fire at them through the*

20 *port-holes of the steerage; vvhich astonish'd*

them to see the Master so highly incens'd

again

againſt them for their kindneſs. But to avoid
his malice, they got into their Boats again, and ſo
went aſhore.

That night about 12 a clock, Mr. *Palmer's*
house was ſet on fire in ſeveral places by the To-
ryes, who made ſeveral Shotts in thorow the doors;
the men then in the house, were Mr. *Palmer*,
the Ships Mate, Mr. *Spires*, Mr. *Myars*, Mr.
Row and *George Fleming*, from whom ſeveral
Shotts were returned out of the doors and win-
dows; but the fire increaſing vehemently about
their ears, they were forced to break open the
doors, and ſubmit themſelves to the Toryes, who
preſently entred the houſe, and Mr. *Myars* ſhew'd
them where the Cheſts lay that had the mony; 42
which the Toryes immediatly took away out of 43
the houſe; wherein (beſides the Treafure) were
great ſtore of fine embroider'd cloaths both for
men and women, which (as ſuppos'd) did be-
long to the right Maſter of the Ship and his wife.

All thinking People of that part of the King-
dom, agree, That the putting the treafure of
the Ship into Mr. *Palmner's* houſe after this clan- 43
deſtine manner, without acquainting him there-
with (eſpecially while their Ship lay in no dan-
ger) was for ſome ſiniſter ends; and nothing
more evident, then that the Maſter, Paſſengers
and Seamen were reſolved to ſlip away with the 13
Mony and Gold, and by ſome devilish inſtigati- 19
on, had concluded to deſtroy the Ship and Car- 8
go, whereby they might be allow'd ſome room.

to alleadge that all this Treasure was likewise plunder'd & rappareed by the Rabble of the Country. But designs of that sort, have their end most commonly, not unlike their begining, for its believed, that the master, passengers and Ships company, had as little right to that treasure, as the Toryes that Robb'd them; Neither did it prosper much better with the Toryes, for soon afterwards, they grew into high variance about dividing the spoil, and their leader who had the greatest share, was shot through the body with three bullets, by such another as himself, whereof he dyed without giving any manner of account where he had hid his Talent; Thus the iniquities of the wicked have fallen upon the heads of the righteous: for Mr. *Palmer*, whose Life and Conversation have been an Ornament to his Profession, and who has always had an unspotted Reputation, is hereby, together with his Family, utterly ruined, his house and all his substance burnt to the ground; himself, his wife and children, forced to flee naked out of their beds, without saving so much as their wearing Apparel.

17 But the projections of the Master rested not here, for next morning betimes, being the 30th of

19 *January*, he had an account of what hapen'd at Mr. *Palmer's*; Then began his confusion in

29 mind; What, says he, all the mony lost, and the Ship still alive! If I save her now, and sail her for *London*, the Owners will be upon my back for the mony; For, how can I answer such an unpre-

sident

lun- dented thing, to put the mony ashore, when the
try. ship was in no manner of danger ?

most
be- *O wretched state of Man ! which greatest things*
om- *to greatest downfal and confusion brings.*

s the
pre- Had not the mony been lost, I had enricht my self,
fter- and could have made the better terms about it,
divi- whether I had sunk the Ship or saved her, Had
reat- not the mony been lost, I could have sunk the
three ship, and pretended that all was lost together,
f he and havockt away by the Country : What shall
ount do ? The holes are already bored throw her
liqui- bottom, and much water already in her hold, she
ds of yes now in three foot water at lowest Ebb, and
and and how will it be with the Sugars when it flows
Pro- 2 foot more this next Tyde ? Come, I am re-
Re- solved ; Sirrah go slip the Warp that she rides
, ut y, and let her fill, and beat, and drive to the
nce Devill that posselt me, when I first posselt her ;
child- will veil this prank of the mony, by comitting
dds, worse upon the back of it ; Let her split, and
areh rownd, and be damn'd.

here, The Master was heard to put forth several eja-
h of culations of this kind, whilst he ranged about from
d at he great Cabin to the Deck, and from Poop to
n in row, snarling at every body that spoke to him.
d the ut no body knew yet what he meant by saying
r for that the holes are bored throw her bottoms. While
e for e was thus railing at his fate, and cursing his
pre- cairs, The People with the boats (whom he
nted had

22

20

19

17

29

4 had turnd out of his Ship last night for offering
 24 to save her) came on board again, and profered
 25 their service, which the Master still renounced
 29 and refused ; But at length, the winds arising
 25 hard at Southwest, the Master about 12 a clock,
 4 and young flood, called to them, and told them
 25 that all the Goods would be lost that Tyde ; and
 19 bid them save what they could for themselves,
 29 and told them that the Ship would soon split
 25 in a thousand pieces ; and when they had put
 17 nine casks of Indigo, and some other things into
 4 their boats, He bid them again to take all for
 17 themselves , and desired them to take two
 19 Casks of Indigo, and save them for him, to
 10 bear his charges out of the country, and that he
 would never trouble them any more, and charged
 every one to hasten out of the Ship, for that she
 had five foot of water already in her hold : Where-
 upon they all left her to take her chance, to sink,
 19 beat or drive ; The Master having taken care to
 25 slip the warp whereby she ridd, leaving her loose
 to take her fortune.

4 With three boats & several of the English with
 them, He came ashore in the afternoon at a place
 9 called *Killowen*, a small English village, bringing
 19 with them the nine Barrells of Indigo and some
 25 other things, besides the two barrells for the
 30 Master to bear his charges out of the Country,
 which were all landed there, and put into a Cellar,
 and the people were contented to take some small
 part for Salvage. As soon as the Master came
 ashore,

ashore, he met Mr. Orpen, and told him that all the 9
 Cargo was lost by that time, and that he believed 9
 the Ship was splitt in pieces ; However, he desired
 him to go and save what he could, seeming very 15
 confident that she could not hold out till next 9
 Tyde ; Mr. Orpen dispatcht several people to the
 Ship ; amongst them was one Mr. Bryan Kelly 10
 whom he called back and sent him to the Master
 for a note under his hand for Salvage, which Mr. 11
 Kelly accordingly did, and got *Richard Clark,*
Samuel Aldwell, Charles Carthy, Dermot Sullivan
 and *Dermot Sullivan Junior*, to be named in the
 note (along with himself, knowing them to be
 Mr. Orpens friends) as soon as he had got the 9
 note, being about night-fall he repaired to the 23
 Ship, and found that the rest of the people em- 15
 ployed by Mr. Orpen were got on board her, and 28
 having loos'd the foretop-sail ; and placed a man 10
 at the helme, they brought her with much pains
 and industry into a convenient Creek ; and after
 she was brought to the Creek, Mr. Kelly went
 on board her, and told them, that Mr. Orpen 9
 had sent him to desire them to be careful of every
 thing, and that himself came directly from the
 Master, who had put the whole concerns of the 10
 Ship into Mr. Orpens management, and that he 11
 would be with them out of hand with men and
 boats, who accordingly came next morning be- 28
 times on the 31st with men and boats, and having
 fitted Teakles and Cannhooks, &c. fell to work 10
 to discharge the Cargo, which was not without 10
 some

10 some difficulty, for the Rabble and Rapparees
 28 crouded into her in great Numbers, insomuch
 that Mr. *Orpen* was forced to bring his people
 10 to their arms, and thereby expelled the intruders
 and employed Mr. *Aldwell*, Capt. *Carthy*, Squire
Sulivane and Mr. *Kelly*, to oversee the safe putting
 of the goods ashore into convenient houses, which
 28 was done with the best Care that the then circum-
 26 stances would allow, being at a time when the
 17 whole Country about them abounded with great
 23 Numbers of Rapparees and Tories, well besitting
 such designs as were then on foot (of the Master,
 passengers and Ships company) to destroy the Ship
 and Goods, and slip away with the Gold and
 Silver; several of the goods were put ashore that
 28 day; and the night following, the Ship was close-
 ly attackt by rhe Rapparees, so that Mr. *Orpen*
 and his men had very hot work, being all that
 night at close firing; and it is credibly reported,
 that above twenty rapparees were wounded in that
 nights service. They appeared several nights
 28 afterwads before the Ship, yet never made any
 26 further attempt upon her. But its very manifest
 23 that had not Mr. *Orpen* undertaken to manage and
 defend the concern, that the Rabble & Rapparees
 18 had wholly destroy'd the Ship & goods; Being in-
 8 deed no more but what the Master, passengers, and
 19 company hop'd for; For had the Ship and Cargo
 17 been utterly ruined (especially before the mony
 3 was lost) they had their ends, and might have
 kept the mony, and had wreck-room enough

to say that the Sea or Land had swallowed it from
 them along with the Ship and goods; and the only
 cause of crime against any of that country, is
 because that any thing was saved. The next day
 being the 1st of *February*, (the third day after the
 Ship was stranded,) The Master came again 5
 to the Ship, and the first thing he did, was to come 20
 privately under her stern to view her deaths 21
 wounds, Vizt. the holes which he had made in
 the bread-room thorow her bottom, the morning
 he quitted her, where he found the water gushing
 out of her, as its said, *the blood freshens at the*
murderer when he is brought to lay his hand
upon the Corps before the Inquest; But stepping 20
 on board, Mr. Orpen shewd him that the water
 was in her hold within a foot and a halfe of the
 Beam; whereupon the Master ordered that a hole 5
 should be made to let it out, which was according- 20
 ly done, and desired the Master to stay on board
 and take an account of things, and to see the holes
 stopd, and likewise desired him to send for his 18
 men; one seaman being worth five landmen
 for working in a ship. But he stayed no longer 5
 aboard, then to order great part of the Sugars 18
 (which had received some damage) to be given
 away to the Country people and to see it done,
 and having filled some baggs with the white
 Sugars, carry'd them with him to his quarters; 45
 but returned not again untill five days after, nei-
 ther did he send any of his men, but hastned them
 away out of the country, without keeping one of 46
 them to stay in the Ship.

D Upon

Upon the 2d of *Febr.* Capt. *George Gregory* commander at *Ross-Castle*, and Mr. *James Bland* Minister of *Killarny*, came to the Ship, where they made about two hours stay, and returned again, with full assurance, that she was ensured, or that the Master, passengers and company had willfully destroyed the Ship and Cargo for the lucre of the Gold and Silver, and said that it was a just judgment upon them that they were robb'd by the *Tories*: Next day, being the third, Mr. *Bland* writt the following Letter to Mr. *Thomas Crump* the Kings Officer, wherein are high enducements that Capt. *Gregory* ought to be attended with some presents or bribes: with menaces of perill in case of Failure.

Glannerocht Febr. 3d. 93.

Mr. *Crump*,

THough Capt. *Gregorye's* modesty will not give him leave to ask any gratuity for his Soldiers service, yet I hope your discretion will tell you what he may expect upon this occasion; and I hope what his extraordinary Civility forbids him to ask, your Gratitude will make you give him; he has sent away the Bagg of Sugar, having the conveniency of a Guard But he sets a very small value upon it; If you deliver two Firkins of *Lymejuice* to his Serjeant, and what ever else you think worth his acceptance, it will come safely to his hands; The Captain of the Ship says, there are Sweetmeats *Chocolett* and *Jamaica Peper* and *Ginger* aboard; But I need not advise you in this case, You that have been so much conversant in those things, need not to be at a loss what to do; only I take leave to tell you as a friend, that as you may incur his Favour by this, So you may his Displeasure, by the neglect of it, which

may

may prove more dangerous than you imagine. My service
to Mr. Orpen. Sir, I am

Yours,

J. A. BLAND.

It's very evident what unjust errands the Capt. and Mr. *Bland* went upon the day before, when they visited Mr. *Orpen* and Mr. *Crumph* on board the Ship, which, though (as the Letter speaks,) bashful to ask for, yet they blush not to write for, next day; Mr. *Orpen*, returned this answer, That the Soldiers must be paid if they did any service; And as cases stood, he would not dispose of any thing; but hop'd that in a little time, a division would be made; And as soon as he had his share Set out, which was due to him for Salvage, he would pay his respects to them, with Presents of every sort; which unsatisfying answer not suiting well with the covetousness of the Captain and the Parson, proved of ill consequence to Mr. *Orpen* and Mr. *Crumph*; For the Capt. and Mr. *Bland* set up for the Master and Crew, Making them now Saints, whom but lately before, they had condemned for Devils; they incensed *Edward Herbert* the high Sherrif, a man of no small Power, and *Charles Monk Esq.* Collector of the County of *Kerry*, against Mr. *Orpen* and Mr. *Crumph*, as tho' they were the only persons that had destroyed the Ship and Cargo; And had forced the Master by head and shoulders out of the Ship; And having obtained from the Master and Passengers what *Orpen*, had refused to give

upon the request of that most disingenious Letter, They still continued to raise and foment divers evil reports, especially against Mr. Orpen, as though he had been, not only the principal destroyer of the Ship, but that he had also contrived the burning of Mr. Palmer's house: Haste is now the necessity; and Major Steers the Grand Informer of the County of Kerry, was posted away to *Dublin*, to fill that City with the noise. The Sh. joines with the Capt. and Mr. Bl. and represents Orpen as a person very obnoxious and culpable in the whole proceeding of the Ship. What cannot a man accomplish, tho' never so ill a member? Can he want Friends while he has any thing to give away? The Sh. the Cap. & Mr. Bl. have received Presents from the Master, Passengers, &c. whom they immediately restored to their reputation again; and Mr. Orpen is as soon traduced to the World: vvho if he had been but earlier in Presents than the Master, had undoubtedly bore the Bell; But neglecting to pay the Twenty Guinnyes which the Sh. desired to have, as a br. or gift, and for refusing compliance to an unlawful Request of a Minister, is now under those dangers which are preacht out against him and Crump, in the perclose of Mr Bl's Letter.

4th The Capt. having carry'd away several considerable goods of the Ship to *Ross-Castle*, leaves the Sh. in *Glanmerought* to come up in his place, Giving him the command of his men; The stores

being

being nevertheless frequently robb'd while the Sh. and the Master had care of them; No³⁵ marvel it should be so, while the Soldiers, the¹⁸ Toryes, and an ill pack which attended the Ma-³⁷ster, were continually about the place.

Now let any unbiast man consider the condition of that part of the Country, and how ly-able the poor inhabitants thereof are to entertain Toryes in their houses, when Capt. Gregoryes Soldiers have made such neighbour-hood with them, which is not obsevable altogether in them only, for the Cap. himself who lives by the sword, ³⁵ whose trade is to fight, and receives the Kings pay upon that account, is of resolution as far from engaging the Toryes as his Soldiers are from being at War with them. And you shall find that the Cap. hath no manner of inclination to sup- ³⁶press the Toryes, and that his men have been kind to him, for allowing them to quarter where the Toryes have resorted: not to kill or take them, ²⁶ but to have leave to Range upon free quarters, whereby the remedy is become almost as bad as the disease; upwards of thirty familyes having Fled, bag and baggage, from the cruelty of these Soldiers, who could not expect that kind of li- ³⁵berry, if there were no Toryes; and the Cap's own behaviour in this Affair, describes him no otherwise than a *Moderate Fighter*, or *Worse*; of which the former indeed is more dispensable: For, if a man be not inspired with Courage, how can it be expected where it is not? And if God
and

and Nature design'd it for him, he must blame the ineptitude of his own Organs, or the Imbecility of the Womb that did not sufficiently purifie them, so as to make them capable to entertain a Spirit suitable to his Profession; *Oportet ut mens sana, sit in corpore sano*; It is a thousand pities that a Man of his Nerves should want a Mind: For the other there can be no manner of Pardon in any Person whatsoever, that is false to his God, and Traytor to his King; and for a small Pattern of his Heroick Atchievements, look into the Appendix, pag. 35, 37, 40, 26. And are not the rest of the Noble Acts of Cap. Greg. and his Men, (and how they have ruined above a hundred Families) writ in a particular Book of his Life, while he ruled in that Countrey?

But behold, while they are thus in Neighbourhood with the worst and most bloody of the *Tories*, Lo! they are at the same time at work before the Lords Justices and Council against Mr. Oxen. Cashier'd Servants were ramper'd with, Indigent Persons tempted, and Scavengers on every side were employ'd to rake up Dirt against him; at length they produc'd a Letter of his, (which he lay asleep since *October* last) to the Commander of *Rest-Castle*, to set at liberty one *Cuthbert Bay*, if he were not guilty of some Crime, bring no *Tory* at that time, but had been the Director of *Fourscore* and odd notorious Robbers, by whose means they were brought to condign punishment, and in all probability had effected the like upon

all the rest of the Tories throughout the Province
 of *Munster*, if he had not been ill rewarded
 for his good Services, and so forced to escape ;
 whose Liberty would not be granted to Mr. Or-
 pen for the Publick Good : And it being then dis- 37
 covered to the Tories, that he had been, and was
 to be their Discoverer, and being also eagerly 38
 pursued without intermission by the Soldiers on
 the one side, and the proclaimed Tories on the
 other, he was forced for Self-preservation, to
 set up a Company of *Tories* for himself, there 38
 being no Peace to be had for him, either from the
 Soldiers, or the unrighteous *Mammon* ; and so
 afterwards became the most notorious Robber in 38
 the Kingdom.

Thus, we our selves have forced them to be
 Tories, that were the very Instruments to detect
 them. Thus with a seeming Zeale to the cause,
 they run to the Government (the Fountain of
 Justice) with their clandestine complaints against
 Mr. Orpen about *Cnober Boy* ; whereas indeed it
 is with no other design then to sculk behind the
 Laws, for that complaints of this kind, are cog-
 nizable before any Justice of the peace in the pro-
 vince of *Down* County, against a person that is not of the
 Army : nor in the Comission of the peace. See how
 they have dealt with the Government in this
 matter ; after all their noise about *Cnober Boy*,
 whose shew them at length a Reed shaken with the
 wind, for the intent of that great clamor could
 do him no further, then highly to involve Mr. Or-
 pen

pen into Censures and Expences, and so have him condemn'd before he was heard, thereby to wound him sorely in his Reputation and Purse, the better to carry on their other designs against him, about the Ship; for why did not they after all the stir which they made in *Dublin* about the *Toryes*, bring somewhat of that kind against him before the Grand-Jury at the last General Commission of Oyer and *Terminer* held in *Kerry* on the 26th of *March* 1694, when he dared them to it in open Court, and when the *Ld. C. J. Pine* told Major *Steers* their late-confident in *Dublin*, that 'twas now a very fitt time to do it.

But to return again to the Ship, without making five days, digression, as the Master did, for he
 45 came not nigh her again until the 7th of *February*, that Mr. *Monk* perswaded him to go on board, and then he made but about an hours stay, and went not to her again until the 12th where
 46 he stay'd about another hour (Leaving one Mr. *Richard Clarke* to look after things on board) who until that day never went to concern himself with the Ship, or any thing belonging
 10 to her : But the work being over for several days before, and all the Salvable part of the Goods (except some damnified Ginger, and the Fustick, which lay in the Balast) being already brought away by Mr. *Orpen* ; Mr. *Clark* Rumidg'd for an hour or two up and down her hold, and betwixt Decks ; and then left her, and the Master went not nigh her any more until the 15th. Now
 had

had the Master any manner of inclination for the preserving of the Ship and Goods, he would not have lain away from her, while her Decks could be kept dry; Nay, tho' he were forced to lye in his cloaths all the time. All this while the Master, Passengers and Seamen never mention'd any thing of the holes that were bored in the Ship, but kept it private until about the 10th of February, that the Country began to ring of it. For it seemes the Mate or Carpenter as they travel'd, had made discovery thereof to some persons that brought the account of it back to *Kill-mare*. Then and never before, the Master owned, that there were holes bored in the Breadroom thorow her bottom, and that he did it purposely to lodge her in the strand, that by the weight of water in her hold, she might Sit the faster from beating; But sure he will not impute it to his own Ignorance that he knew not that she was but 10 foot in the Hold and that she lay in 15 foot water in that place.

During these Transactions, the Master, Mr. *Myars*, Mr. *Row* and Mr. *Orpen*, were very good Friends, save that one Firebrand was cast in among them by Capt. *Gregory*, by Stirring up both sides to speak hard of each other, and carry'd the same from one to t'other; which lost nothing in the carriage; so that he rail'd some heats which lasted not above a day or two; and it appears, that hitherto Cap. *Gregory's* incendiaries, took no great root among them, for that

the Master and these Passengers went frequently to eat and drink at Mr. *Orpen's* house; and upon the 11th of *February* after dinner, all three call'd him aside, and told him, how well satisfied they were: with his behaviour in that affair of the Ship and Goods, and desired him to take the trouble
 45 of the future mannagment thereof, promising
 5 that he should have his Salvage, and that they resolved to go together for *England*; but would first make a conveyance of all to him, and he to deliver up the same to them or their Orders upon
 45 demand, after allowing him his Salvage; whereupon they call'd Mr. *Monk*, and having made him acquainted with what they had motion'd to Mr. *Orpen*, they pray'd the favour of him to draw writings between them to that effect: and in the evening, they took leave of Mr. *Orpen*, and every one went to his quarters, and Mr. *Monk* spent a considerable part of the night in drawing the Instruments.

But the Sb. who lay all the while in ambush for a grasp at the Goods, lodg'd in the same House with Mr. *Monk*, and by some means pry'd into the Writings, and next morning he came along with Mr. *Monk*, accompany'd with Cap. *Gregory*, to *Killowen*, where they found the Master, the two Passengers, and Mr. *Orpen*, very friendly together. Now or never was the time for the Sb. to set them at variance, which indeed he accomplish'd with a witness: For he plainly saw that he was at that instant like to be put by from ever
 having

having any concern with these Goods: And there upon, in vehemency and wrath he insinuated to the Master and Passengers, That himself vvas high Sh. of the County, a Justice of peace of the County, Lieut. of the County, vvho could command the Army, as vvell as the Militia of the County; and vvhat was it that he could not do in the County? And withall told them soberly, that they were under some censures for casting away their Ship, and destroying the Cargo; and that he, and only he, could set them right with their Owners in *England*, and with the Government in *Ireland*; And then turn'd to some old Law-Books, directing (as he pretended) that all Wrecks ought to be deposited with the Sheriff. The valiant Cap. *Gregory*, (who had made them understand by the daily Out-rages of himself and 40 his Men, that he govern'd indeed with no less Arbitrariness than the high Sh. and as Despotical 41 as he for his Life) entertain'd them with his Military Rhetorick, howv absolute he vvvas in all matters of Government and Command: Yet that himself and the high Sh. vvvere but as one Man, vvho being a person vvell practic'd in Controversies, could either raise or depress them as he pleased; and advised them to quit all others, and stick to the Sh. *One Horse Nabs another*; and People of a sort soon agree: The high Sh. the Cap. the Master, *Jacob Myars*, and *Peter Row*, sprung presently as a sworn Covey, and Mr. *Orpen* was no more to be consulted with, but look'd upon as

a Person qualified to ruine their Councils and Designs.

From hence forth Cap. *Gregory*, the high Sh. and Mr *Bl.* (being well sweetened with some of the best Sugars) became Patrons to the Master, and these Passengers, & by the frequent incursions of the first, That part of the Country about *Killmare*, was harass'd as though it had been the Enemies Quarters ; for he had always a ravenous pack at his heels, who prey'd upon the Country day and night, without paying for the Provisions which they exacted from the poor People in their continual marches, under the notion of searching for the Ships Goods, Tumbling and tossing all their little householdry, and janting it in that manner, from house to house, they beat and wounded the Men, Ravish'd Women and Maids, and set Houses afire,; But when they had Forced the People to give them all their mony, they put out the fire again. These doings past under the notion of serving the Owners, who have also paid dearly for their Services, and had they thought fit to have consulted Mr. *Orpen*, he had made appear the many havocks which were committed by the Master, Passengers, the high Sh. Cap. *Gregory* and Mr *Bl.* and they should find at what rate the Master and Passengers have bought the patronages of those three Gentlemen ; which began more openly upon the 12 of *February* ; and on the 13th the Sh. fram'd an advantageous Narrative by his Letter

to the Government, in the behalf of his *Sweet Clyents*, and becomes Merchant for great part of the Goods, and waited at *Killmare* for an order (in answer to his Letter) to Seiz both Ship and Goods into his own possession; and so by his power of *Shrievalty*, *Replevins*, &c. to wrest from Mr. *Orpen* and the rest of the English of those parts, what was due to them for *Salvage*; and by his merit of that kind, to win the Owners favour, into some great *Presents* for his good services, whom the Master and Passengers in the mean time visited by their Letters, Setting forth the worthyness of the Sh. as the only person fit to be trusted in the whole concerns of the Ship and Goods; and how highly he had appeared against Mr. *Orpen* and the rest of their Enemies.

But Mr. *Orpen* and the English Petitioned to the Government against the proceedings of the Sh. who waited big with expectation of a power to seize, &c. But no such thing appearing, nor finding the success he wisht for, and that his Letter was not so taking as expected, Mr. *Myers* hastens away to *Dublin*, well trained to every particular requisite to back the Letter of the 13th, who arrived there about the 5th of *March*, and on the 6th made his examination ready, and on the 7th was examined before the Honble Sr. *Henry Eccelin*, one of the Barrons of the Exchequer, which Examination scream'd so loudly against the behavior of Mr. *Orpen* and the English, that the Government

vernment conceiving it necessary to take cognizance thereof, sent to the Right Honourable Sir *Rich. Pyne*, Lord Chief Justice of their Majesties Court of *Common Pleas* (then upon the *Munster* Circuit) to inquire into the whole matter, and to report the same, and Colonel *Denny* and Col. *Hasset*, two of the Deputy-Governours, and Justices of the peace for the County of *Kerry*, were required to have Mr. *Orpen* and Mr. *Crump* apprehended, and thereupon they issued their Warrant to the H. Sh. to that purpose, who was overjoyed to see the growth of his labour and wit arrive to that perfection, and put the Warrant in execution after a strange manner ; Not by himself, or any of his under-Officers, but employ'd Serjeant *Fullerton* (brother in law to Capt. *Gregory*) who with ten Musqueteers came to Mr. *Orpens* house, and took him prisoner, without letting him know upon what account, other then that their Capt. had commanded them to do it ; He asked them, was it by warrant or by order ? The Serjeant told him that he had a warrant ; But would not be prevailed upon to shew it, or to give the least hint of the purport thereof. But at length he said that it was for Harboursing of *Toryes*, and gave out to the neighbourhood (*inter alia*) that 'twas for supplying the *Torys* with ten quarts of Powder.

Notwithstanding that Mr. *Orpen* seemed unconcerned at these proceedings ; Yet the new English Collony which he brought into that

Coun-

Country, began to repine at their misfortune, and
 wished that they had never come out of *England*;
 And finding him thus troubled on account of 33
Toryes, whom they knew to be one of the
 greatest suppressors of Malefactors throwout the 34
Province, and well assured in their consciences, that 39
 he was no way guilty of such a crime, they con-
 cluded that the *Sh. Ca. Gregory*, and *Mr. Bl.*
 would soon have them all accused, and prosecu-
 ted upon the like account, and thereupon resolved
 to be gone bag and baggage as fast as they could
 out of their reach. The Serjeant and party took
 away *Mr. Orp*, out of his house in great hurry, not
 affording him time to put on his cloaths, to the
 great glory of the high *Sh.* to see his prisoner
 carry'd thro' the Towns with ten Musquetteers;
 a very unpracticable way of executing the warrant
 of the Civil Magistrates.

But *Mr. Orpen* is now Prisoner at *Tralee*, and
 by the 23th of *March* was Examined, and Bail'd to
 appear the 26th, being the day that my Lord
 Chief Justice had appointed for the Tryal;
 which was but very short time to provide him-
 self and his witnesses, being at that time of the
 year accounted four days Journey from thence
 home to *Glannerrought*, and back to *Tralee* again;
 However, he was there on the 26th, with several
 Witnesses. But his Enemies having informed
 themselves who they were, made interest to have
 them all accused for Felony; and thereupon pro- 32
 cured a Warrant from the *L. C. J.* and had them
 appre-

apprehended for this pretended Felony, to put them off with Fear and Expence, from giving their Testimonies.

Upon the 27th in the morning, a Bill of Indictment against *Orpen* and *Crump*, was found by the Grand Jury, for taking two Hogsheads of Sugar, and eight Hogsheads of Lime-Juice, of the proper Goods of *Peter Row*, out of the Ship *Lurel*; In the afternoon they were call'd: but for want of Witnesses to prove the Accusative Allegations, 'twas put off till next morning; and the Tryal could not yet be brought on, for want of such Witnesses: Whereupon Mr. *Orpen* told the Court, That he confest'd to have saved such Goods, and that he would prove the Master's Orders for it; and prayed to have the Tryal go on; not thinking what kind of Preparations were made against him. The Courageous Major *Steers*, who was principal Engine to inform against him in *Dublin*, and a chief Cock-Feather in the *Jews Cap*, was call'd to be Foreman of the Jury; *Theophilus Morris*, who was not of the County, but Agent for the Owners and Merchants, was the next call'd, both which were excepted against by
 43 Mr. *Orpen*; and some were call'd and answer'd,
 35 but for private Reasons were struck out by the Sh. without any Exception of either side. But a Jury being Empanell'd and Sworn; The Master, *Samuel Aldwel* and *Bryan Kelly*, were sworn on behalf of the Prosecutors. The Master made (in term) a long Harrangue of his Course, and
 Depart-

Departure, in his vvhole Sailing, until his Arrival
 in *Kilmare*, and how he vvas forced in by distrels 3^r
 of Weather, how his Ship had lost all her Sails,
 how he lost his Sheet-Anchor-Stock, how he
 forsook her on the 28th of *January* in the morn- 25
 ing, after cutting his Cable; how he vvent on
 board her again, and bor'd holes in her to set her
 fast from beating, and how he carry'd eleven
 barrells of Indigo ashore when he forsook her
 out right on the 30th of *January*. But deny'd
 that ever he desired Mr. *Orpen* to save any thing
 belonging to her, and that he went into her with-
 out his consent, and turned out those whom
 the Master had employ'd, Vizt. *O Sullivan*
More, Capt. *Cartby*, Mr. *Aldwell* and Mr. *Clarke*.

Mr. *Aldwell* swore, That himself went
 not on board, till after she was brought safe to
 the Creek, And that Mr. *Orpen* did not turn 26
 him out, but employ'd him to help to save
 the goods; That he never pretended any power 32
 from the Master; That Mr. *Orpen* shewd them
 a Broad Seal, but 'twas to encourage the men to
 their Arms against the Rapparees. And that had
 not Mr. *Orpen* taken the matter upon him, the Ship
 and Cargo had been destroy'd, as appears by his
 Affidavit.

Bryen Kelly Swore that he was present when
 the Master desired Mr. *Orpen* to go on board and
 save what he could, who thereupon employ'd
 him and others; But sent him to the Master for 7
 a note under his hand, which the Master gave; 8

9 That none of the persons which the Master pretended to have been employ'd by himself, came unto her until others employ'd by Mr. Orpen had brought her safe to the Creek ; as appears by his Affidavit.

There were Sworne on the behalf of the Traversers, *Joseph Taylor*, *Charles Mansfield*, and *Timothy Murphey*; *Joseph Taylor* Swore, that the Master shew'd a full resolution against saving the Ship : That he exprest several frivolous pretences against lightening her ; That he refused to accept of a stock for his Sheet Anchor, That she
24
35 fled, but no care was taken by the Master to save her, prout his affidavit.

Charles Mansfield Swore, That the Master had no mind to save the Ship ; And that he was with him the day he left her, being the 30th of *January*, when he desired Mr. Orpen to go and save what he could, and that Mr. Orpen did Accordingly employ several persons, who saved her, and what they could of the Goods ; that the
13
4 Master came not near her again until the 3d day, and then he ordered another hole to be made in the Ship, but would not be perswaded by Mr. Orpen to stay and bring his men to help to save the Goods, but promised him Salvage. *Vide* his Affidavit.

Timothy Murphy swore, That he was present on the 30th of *January*, when the Master desired Mr. Orpen to go and save what he could ;
43
35 that himself was one of the Persons employ'd by Mr.

Mr. Orpen to go on board, who went accordingly, and loosed the fore-top-sail, and placed a *Man* at the Helm, and so brought her safe to the Creek; that the Persons which the *Master* pretends were employ'd by himself, went not on board until the next morning; and had not *Mr. Orpen* defended her from the Rabble, they had torn her to pieces; That the Seamen broke open the Hatches, and made havock of the Indigo, and of the best of the Goods.

There were 14. Witnesses more on the *Traversers* behalves; but *Bryen Kelly* being snubb'd in Court by the high Sh. for giving any Evidence in favour of the *Traversers*, and the rest of *Mr. Orpen's* Witnesses being frightened by the Warrant for the pretended Felony, they held their Tongues, for fear that *Mr. Bl.* whom they suspected had contrived to have them thus falsely accused, should with no less just prosecution prevail to have them Arraigned and Tryed for their Lives; fore-thinking that whoever had gone so far into such a Ford, would leave nothing unattempted to wade quite thorow, to the utter Ruine, if not of their Persons, at least of their Purfes.

By thus much you may plainly perceive, how far the *Presents* made by the *Master* had prevailed: And though the Lord chief Justice gave him such a scope of delivering himself, as might satisfy the World that all Gates were open for Strangers to come before his Lordship for Justice; yet

the whole Court took notice how he setter'd himself in his own Discourse : For being ask'd by his Lordship *why he refused the Assistance of a great many English and their boats, and would not suffer*
 30 *them to bring off his Ship ?* He answered, *That 'twas a most dismal stormy night, and so dark, that a man could not see his hand.* Whereupon Mr Orpen cry'd out for an Almanack, and proved it to be full Moon, and the Witnesses proved it a
 30 most Glorious calm Night, and that the Ship fled every Tyde; and against his alledging that she had five foot water in her when she struck first, 'Twas prov'd, that she was tyght, and that the Water stunk, being the infallible Sign that there was no manner of leak ; whereto he reply'd,
 30 (for want of other excuse) That the Sugar made it stink ; The like reason was never heard before, for Sugar in divers things is as great a Preservative as Salt; and where it is so much less than any liquid Body, as that it cannot reach to a Syrup or Conserve, (if it does at least to a relish) it never fails to set it upon the ferment, even altho' it were the very worst of Sugars : These and
 such-like Absurdities were past by in Court, without any manner of Correction or Carp, he being a Stranger.

But the Jury soon returned to the Court with two Verdicts to this Indictment ; First, That Crump was not Guilty of any thing , but Orpen was Guilty of the whole Cargo, except the Lyme Juice, though indicted only at the Suit of Peter

Row for two Hogsheads of Sugar and eight of Lyme Juice; Secondly, That he was Guilty of two Hogsheads of Sugar, and no more; Though it doth not appear by the Examination of *Peter Row*, or any other Examination taken hitherto, that *Peter Row* ever had any Sugar in that Ship; but *Mr. Orpen* told the Court that he hop't that one Verdict was Sufficient to one Indictment; whereto the Sh. answered, *Another time, Mr. Orpen, another time.* But the Witnesses for *Mr. Orpen*, who were brought in for the pretend'd Felony, were not indicted nor question'd, Though there wanted not mallice enough to do it; yet *Mr. Orpen* (by reason that his wittnesses were Snubb'd and Frighted) had no manner of liberty for a fair Tryal, by which means the Court Remained misinform'd of the whole affair. And observe how eagerly they follow these irregular proceedings. The Master, Captain *Gregory*, Major *Steers*, &c. met together soon afterwards in *Dublin*, and upon their consult, a Writ mark'd ten thousand pounds, was taken out of the Kings Bench against *Mr. Orpen*, at the Masters Suit; so that he that was lately but principal Evidence, is now made Plaintiff.

Consider how naturally the Master Swore at the Tryal to carry on a cause wherein he design'd that himself should be Plaintiff afterwards; Mark that, with the Rest. But least Bail should be given in to the Action, they prepared another Expedient, (being the last Shift common to turbulent

lent Spirits) That is, to Accuse a man falsely into some plot or conspiracy against the Government, which they intended should admit of no Bail. Thereby to plague him further with Imprisonment and Expence, until he could obtain a Tryal. And the better to accomplish this barbarous design, they passed by the late Commission of Oyer and Terminer, and framed a new and a most unnatural Accusation against him, viz. *That he had Traiterously contrived the Burning of (his Father-in-law's) Mr. Palmer's House*; and in order thereunto they procured a Warrant of Treason from one of the Judges of the said Kings Bench against him.

And in fine, the Sh. made him Prisoner upon the writ and the warrant, and for the further suppression of Justice, and to carry on their design against him with the more facility, they have provided fresh warrants of Felony to hamper and at will to awe all those who they think may serve as witnesses for him, and have promised great rewards to such as will swear on their side.

While he is in custody, their Agent is very buisie about taking away all the goods that were saved, and the Sh. stands by to grant Replevine, if in case that any of the goods should be stopped for Salvage. But to make sure work, and to prevent Orpen's bringing Actions against the same, he is hurryd away by the Sh. and their Agent hurrys the goods away as fast, without giving Mr. Orpen any manner of satisfaction for saving

the

the Ship and goods; Notwithstanding that its plainly proved, that all had been lost had not he and his men taken upon them to save and defend the same as appears under the hands and oaths of those very people whom the Master pretends were employed by himself, and turned out by Mr. Orpen, and by the oaths not only of the most indifferent or mean people, but likewise of the most credible Gentlemen of that Country, against whom we may hear peradventure that Warrants of Felony will be issu'd, and others Tamper'd with, as soon as it's understood that they can evidence for Mr. Orpen.

And that this is no more than what has been already Attempted, will appear by the following Affidavit.

Edward Dunigan of Nedeen in the County of Kerry, Yeoman, came before me this day, and made Oath, That on the 31 of January last, he this Deponent, being a Servant to the Reverend Mr. Thomas Palmer, was employd along with others, by his said Master, to search and pick up whatever things they could find in the Rubbish of the walls of his Masters house, which was burnt and Robb'd the night before by the Toryes, And saith that amongst several pieces of Metal, some Brass, some of Pewter, &c, there was a Lump about a pound & half weight, taken up and thrown among the rest; And saith that 'twas reckon'd as Brass. And saith that this Deponent reacht it to one William Mabury, who put it up in his pocket, And the Shape thereof was about two Inches broad, about three inches long, and about three quarters of an inch thick, after the Shape of a disorder'd square, & thicker in some parts then other; And ruffish; And this

Depo-

Deponent saith that in a very few days after, he this Deponent was along with the said *William Mabury*, as the said *Mabury* was coming from the burnt Walls, where he the said *Mabury* had left the said Lump; And saith, that he this Deponent saw the said Lump with him the said *Mabury*; And saith, that the said *Mabury* told him this Deponent, that *Jacob Myars* the Jew, a Passenger of the Ship *Laurell*, had sent for the said Piece or Lump, the said *Myars* alleading that he had left a Gold Wedge in the house, when it was set on fire, and believed that the said Lump was the Wedge of Gold; and this Deponent saith, that he saw Mr. Monk the Collector, Mr. *Myars*, Mr. *Orpen*, and the said *Mabury*, walk away privately into Mr. *Aldwell's* Garden at *Killowen*, and this Deponent believes, the said *Mabury* did then deliver the said Lump unto the said Mr. *Myars*. And saith, that presently afterwards the said *Myars* call'd to this Deponent and askt him (after he had shew'd the said Lump to this Deponent) *Was that the same that was taken up by him this Deponent within the burnt walls of Mr. Palmers house, which he had delivered to Mr. Mabury?* This Deponent told the said Mr. *Myars*, *That it was the the same*; Mr. *Myars* askt him again, *Was he sure of it?* This Deponent answered, *that he was sure of it.* But, said Mr. *Myars* again, *Can you take your Oath that it is the same?* This Deponent Repli'd, *he could*; And this Deponent doth still say, that he is very well assured that the piece or lump which was shewed him by Mr. *Myars* was the same which this Deponent had reacht and delivered unto *William Mabury* at the burnt Walls aforesaid, on the said 31 of *January*, and that he this Deponent knew it by some remarkable Specks which were on the upper side thereof; And this Deponent further saith, that one *James Barret* came to this Deponent, and tempted this Deponent to Swear, *That the Lump which the Deponent Saw with the said Mr. Myars, was not the same which the Deponent had formerly delivered to the said Mabury.* The Deponent told him, That 'twas a hard matter for any man to do it: The said *Barret* told the Deponent, *That Cap-*

tain Gregory, Gouverneur of Ross-Castle, and Mr. Bland, the Minister of Killarny, had sent him to this Deponent, and to assure him that if he would but swear that it was not the same Lump, he this Deponent should have Twenty Pounds. But the Deponent told him, That for a Thousand Pounds he could not do it. And the Deponent saith, That one Thomas Hely did likewise tempt the Deponent in the same manner; and saith, that the said Hely told him, that Mr. Bland had sent him to give him Twenty Pounds, if he would but swear that the Lump which the said Mr. Myars had from Mabury, was not the same Lump which the Deponent had formerly delivered unto the said Mabury.

Jurat coram me uno Justitiar.

Ed. Dunigan.

Comit, Kerry, 28 die April,
1694.

J. Blenerhasset,

This Affidavit is a Sample of the contrivances now on foot concerning a wedge of Gold, which Mr. Myars pretends he threw aside under the bed when the Tories entred the house; and by the Philosophers Stone revers'd was turned into Brass. But whether he threw it there or not, there was a lump of Metal taken up among the rubbish, and being delivered to M. Myars, he did at several times in the hearing of several Gentlemen, own and declare that it was the same lump or wedge which he had throwne by, and described it by the colour, shape, and size, and by several private marks, and particularly by two specks or bubbles upon the upper surface thereof; Now whether he left any such lump there as he pretends; or

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whic-

whether he would not, if he thought 'twere Gold, have laid his Challenge to any lump, were it the right one or no ; or whether, if it were the right one, he had not a mind to deceive the right owner of it, and so caused a counterfeit to be made afterwards ; or whether he was cheated in *Jamaica*, is yet a question ; But it admits of this discourse, that it's very manifest that the piece or lump which was delivered by Mr. *Mabury* to Mr. *Myars*, carryed the several marks and specks upon the upper-side or upper surface, as the true piece had, which is indeed an infallible assurance (if Mr. *Myars* description were true) that it is the right piece, be it Gold, Brass, or any other Metal whatever ; For though its in the power of any ordinary capacity that can run Metals, to imitate in some sort in the bottom sides or ends of the Counterfeit the marks of the true Piece, yet the specks, or bubbles, or any other mark upon the upper surface, are accidentals in casting, (and in a coat as different from the rest, as the upper countenance of a Pann-pudding differeth from every part of the Geometrical superficies of the sides and bottom) and not to be imitated by the best of Artists ; and for further satisfaction in this point, Enquire at all the Laboratories and Founderies within Humane management, and they will tell you that its as impossible to raise (*ad libitum*) a single bubble or two (or more properly hony-comb) of exact shape and place upon the upper surface (that side only in such flat castings being

being lyable to this kind of windy sputter) as it is in the power of a Phyfician to lay a well man to bedd and bring a fmall pox through his Skin in exact numbers where and when he pleafes ; and what man will take two pails of water of equal Cylinder and Depth, and having fet out upon the margins the 32 points with their Aliquots, and by the plounce of a Pebble-ftone having raifed a bubble accidentally in one of the pails, fhall afterwards undertake that in the dropping a thoufand pebbles more into the other pail, to raife a fingle bubble of exact fhape point and diftance from the Center, with the former ? And if he ever accomplifheth it, he may afterwards fay that its a thoufand times more impoffible to raife (*ad libitum*) in any Counterfeit a hony comb of exact depth, fhape, and place, with the copy. Notwithftanding that *Ca. Greg.* and *Mr. Bl.* were unfeceffull in their adventure if they defigned to lay out their twenty pounds a piece with *Edward Dunigan* for this intended fubornation, which in fome parts of the Kingdom, and among fome fort of folks, might perhaps have purchafed a Poft-knight for every pound, efpecially when a poor man is threatned to be hang'd if he refufes to fwear what is defired ; yet they were cautious of laying out their money with every man, being as fupposed only in truft for the Mafter and Paflengers, who perhaps would not allow of the charge, unlefs they faw the value thereof in good Thundering Oaths, fuch as

would lay to the ground all whom they had designed for the slaughter, to save their own Credits; so that not above two or three of the Country are yet got to Swear, upon this particular; one being a Black-Smith, and a very boon Companion at the Pot and Noggin, and has often joined with the Minister *Fervently* in that sort, and sometimes it has been observed that a few Pots of Ale shall prevail more with a drunken Fellow, than Twenty Pounds vwith another. This Fellow has sworn, as it's said, That Mr. *Mabury* ask'd him, *Could he cast a Piece of Brass of some certain size or shape, which would serve his turn?* Or to that effect. But this Affidavit being a very slight one, its supposed to be no more than the price of some small Reckoning at the Alehouse. But if he swears thus far it self for nothing, or in *Forma Pauperis*, what will his Affidavit be, when the Minister shall receive Orders from his Owners to lay out the Twenty Pounds? Do they play upon the Easiness of his soft Temper? Or vwill they use him as the Blind do a Staff, vvhich they thrust out before them to grope out their vway among the Sloughs, to save their Feet from the Mire, and their Heads from knocking against the Walls?

And though that the many Allegations and Assertions herein mentioned, can be proved by divers good Gentlemen, Yet to avoid too great a volumn at present, take only this Small Appendix as a relish of what the whole Country are

Eye

Eye witnesses of, and can manifest to be true, whilest his Enemyes are in the mean time, contriving by their dark devices, to take away Mr. Orpen's life; for no less then that, can be lookt upon as Satisfaction, for such foul Crimes whereof he stands now accused; But their Mountain-belly'd conceptions ended only in an abortive Mouse, for having brought him Seven-Score miles in custody upon this Warrant of Treason into the Court of Kings Bench, Mr. Myars was there present, and made no less violent prosecution against him, then Mr. Bl. had done formerly against the 14 Witnesses upon the pretended Felony, who after they were apprehended and brought in, had not a word to say against them: But Mr. Myars took an occasion to slip away immediately out of Court, and so out of the Kingdom; Leaving the Judges of the Land to consider the horridness of his Judaical Informations; *Tu fixo aculeo fugis*: and so the Treason came to nothing, save that Mr. Myars Savour'd [of a False Informer] in the nostrills of common Justice. 'Twas the Boy's ambition to rule the Equiferos; and the Jew would be the man should punish the great Malefactor; the Butcher that should bring the mad Bull to the Ring, the Copped-Crown-Goose to pen up the Fox; But should the due merit of the matter come to his Cars, then his Caravan of pretty Girles would rock this Son of Clymene in his Phaetontical Chariot, and so tumble him down with a vengeance, in the name of

of him that sent him, *In quo quis peccat in eodem punietur*: O the powerful ingenuity of a *Jew*, when the same is mixt with the Tipto-wit of a Jesuitish Master, Envigorately boyld up to a Scum by a Sh. a Capt. and a Minister. But every one to his Trade; and had Major Steers revised this *Furamentum* of the *Jew* with as much Judgment in the Oeconomy of a Navy, as he has in extending of a Tenterhook Examination, he had questionless, by the Shooing-horn of his practice, fitted it on to the design with an exquisite adaptness: But as it is now, 'tis so extravagantly too wide for the pretty designing Foot of the little *Ulyssis*, that a Gigantick *Polypheumus* may jump into it with both Feet at once; and it's past *Work for a Cobler* now.

Lest his great Provocations might carry Mr. Orpen into insufficient Arguments, as to his own Vindication. or into less becoming words as to the Authors of his Sufferings, he shew'd his Papers to several of his Friends; one whereof sent him the following Letter.

S I R,

I Take as a Favour your permitting me the sight of your Papers, which I have read with all the Care I could; and to answer the confidence you have put in my Friendship and Judgment, I have made a few Alterations in some Words and Phrases; I hope that none of the Army, any more then the *London Masters*, can take ill your defending your self; especially while you do it so directly against a particular enemy only. But I have also made an Asterisk (*) where I would have you consider whether

some

Somewhat more caution should not be used in Speaking of Mr. B. so indefinitely as you do sometimes, by the Appellations of *Parson* and *Minister*, looking like a reflection on his Order, no less then *Himself*; Its wonderfull to me why these Gentlemen should drive at you with such an impetuous flood of Injuries, for the good Services you have done; I hope that what I attempted to do you in this small instance, may be Acceptable, because I am willing to be esteemed, SIR,

Your Obliged Friend and Servant,

R. T.

The Answer.

SIR,

THis Morning I had the favour of yours; what I have said, is but the flash of my Pan, for (since I conceive myself reciprocally obliged to draw them to the Life on horseback, that would paint me a Prodigie upon all four) I have writ a more profess'd account of this whole matter which I may publish after my Tryal, to embalm my reputation against my Enemies putrid Vapours, which may be an Oyntment that none of their Venomous Flyes will dare lick of; With a Series of my owne Services and Sufferings; Another shall be, The Privateers Packet Boat, or the Magnetic Influence of an Entured Ship, upon a Pyrats Light, &c. very usefull for the times.

They that accused my Wittneses for Felony, and my self for Treason, having plaid Bo-Peep with the Government and the Laws, whereby I live, may oppress me too; Sed nemo me impune Lacessit;

fit; If I am hurt by popular Rage; I am not the first; I, that have received Good things, must be content to take my share of the Evill also; If stormes of Injustice for pretended Felonies and Treasons, or other vexations, should continue, I shall admire at the long suffering of God, and Sing *Ecce Domine, quare Dormires, &c.* But the Judges who will understand the Justness of my Cause by the true Harmony of my Clamours; will be Just, when many dare not venture to be so.

You have perus'd my Narrative, and yet you wonder at my Enemies impetuosity against me; Don't you plainly perceive that its mostly for these three Reasons?

First, Because I have saved what they had resolved to destroy, whereby they are exposed for ever.

Secondly, They would revengfully deprive me of my Salvage, which after all their Juggles, will be allow'd me by the Law; Since that the Ship and the Salvable part of the Goods are Saved

Thirdly, They would prevent my having any Publique Employment; but they are highly mistaken; for I desire none, while any of these are to be my Toak-fellows.

I owne my self highly obliged for your kind Remark (*) But when its understood how nearly I am related to more then a few Ministers; I presume that it will not be easy to win any man to believe That I mean reflection on their Order; I, that have suffer'd

suffer'd so greatly for the Protestant Religion, shall 33
 (with due submission) for ever have an Honour 34
 and regard to the Teachers in that Faith, wherever
 by I hope, after this Life, to possess a Heavenly
 Mansion, in a fuller perfection than the Tongue of
 Man can express: I mean no other, than in par-
 ticular Himself to be taken notice of, for too much
 abusing the Order by his uncooth behaviour in and
 out of his drink; sometimes taking upon him the
 mean Office; that is, What would you say, if he
 hath in person executed the Sheriffs Warrants? Since
 I averr it, that he hath made a Gentleman prisoner
 at the Suit of another: and that some of his
 Parishaners have slighted the Church, and dare not
 come to the Holy Communion, for fear of being
 Clap't upon the Shoulder by the Ghostly Father.
 So that as for Mr. Bl. and the Jew, or any other
 Professors, who Labour by such indirect methods to
 be what they would be, and so manifestly abuse
 what they should be, I would have it known, that
 I contemn them, and do not in the least fear the con-
 sequences of declaring it; I have no such guilt as
 may compel me to danc with any such persons, and
 do call to God and all good men for Judgment.

And by London-Master, in the Title-page, Mr.
 Lyel only is singled at, for his singular Skill in Au-
 gur-boles; I have had the good fortune of being
 acquainted with many of the London-Masters, and
 understood them to be Gentlemen of good Reason
 and Sence, and most able Artists, and too ingenious
 to imagine that ever I should designe the last Do-
 rision

vision or Reflection upon any of them.

But why should you think that any of the Army would resent my holding of Cap. Gregorje's Glass before him ? I am confident, I stand well with them, or at least with so many as know me ; for when I was employed by his Grace the late Duke of Schomberg, and afterwards by the Government to command the Artillery-shipping, I kept the Coast to and fro, as the Army advanced and retired, during the late War, and furnished them duely from Sea ; and so I did the Sea-port Garrisons ; which I performed from time to time, to the satisfaction of the Government, and the Generall Officers, as by their ample Certificats may appear ; I don't Remember that I have said, or meant any thing that even malice it self can wrest, to the disrelish of the meanest Just Man in the Kings pay ; But if a particular Cap. or so, should come obstreperously in my way, with design to have me beaten out into a Whim-wham for a Horse-Mill ; I hope that officers of the Army will not judge me rude at the Table, if I hold the Brimmer to his Nose, and make him drink as himself has brew'd. I am sorry I cannot alter any thing pursuant to your wholesome Counsell ; However I heartily acknowledg your kind Caution, and subscribe, SIR,

Your truly Affectionate

Friend and Servant,

R. O.

To R. T. Esq;

During

During the whole Transaction hitherto, an Examination of *Jacob Myers*, the Jew, taken before the Honourable Sr. *Henry Eccles*, one of the Barrons of Their Majesties Court of Exchequer in *Ireland*, upon the 7th of *March* 1693, was kept private from Mr. *Orpen* until about the last of *May* following, that the Copy thereof came to his hands from his friend in *London*. The reason of this great privacy, was, because the same contained the main grounds of incensing the Government; and Mr. *Orpen* was not to know the Contents thereof, lest he should too early Answer it, and so ruine a Design yet in Embryo, before it had received its birth into the world. Here you have that most abominable Examination in its distinct Paragraphs, with the several Remarks inherent thereto, respectively, Viz.

I. This Examinee saith, That on the 28 of *January* last past, the Ship *Laurel* of *London*, burthen 150 Tunnas, Captain *Christopher Lyell* Commander, from *Jamaica*, bound for *London*, was drove into the River of *Killmare* in the County of *Kerry*, by distress of weather, and very heafy, that the Ships Crew could hardly perceive any land, onely the tops of the Mountains.

Ans^w. They were four Leagues to the west of the *Bull*, *Cow* and *Calfe*, and took them for the *Skellox*, the wind at *W*. Was it distress or design that forced them into *Killmare*? she came into the River on the 27th, and Anchored at *Rossmore*, about midway up the River; But the Ex-

11 aminate says nothing of cutting the Cable, and driving from thence, and it was on the 28th about 7 in the Morning that she drove to *Capanacossy*, near the uper end of the River; If by chance the Examinant has mistaid his Journall, its not so high a mistake, as when they saw nothing but the tops of the Mountains; whereas its the tops and upper parts of the Mountains that are always mostly covered in heasy weather, in that part of the Kingdom. *Vide all the Historyes of Ireland.*

II. And in the distress of weather, the Ship-lost all her sailes, so that she could not be steer'd any longer, and the Commander of the said Ship, Crew and Passengers, hoist out the long boat and row'd ashore to save their lives; and on 7 a clock the same morning, they all came ashore, and travell'd on the land about two miles from the place where the Ship lay; and afterwards, found the said Ship drove in among the Rocks.

Ans.w. Diametrically Opposite, she had all her
 18 Sayles, and very good Sayles too; *Vide Affada-*
 13 *vits of Charles Mansfield, John Kelly, &c.* There
 24 was no danger of their Lives or Ship, being got
 3 into quiet water, and had they hoodwinkt her, she
 6 had undoubtedly followed after the Long-boat
 11 into *Black Water*, (right afore the wind) a ve-
 3 ry good Harbour, which being not for their
 12 purpose, they made her look another way; and
 6 contrary to their hopes, she hapened to come a-
 12 shore at *Capanacossy* upon easy ground, at low wa-
 ter, where she toucht no Rocks; but drove to and
 6 fro all day, with Flood and Ebb, before their
 faces,

faces, while they made merry, and beheld her 12
 close by them. What means the Examinant by
Where she lay, for she lay no where until she
 drove to *Cappanacossy*, two miles from the place 21
 where they all forsook her, where there was wa-
 ter for a Ship of three times her burthen. What
 made them forsake her in such a place? when 6
 she struck not in two miles from it; And being at 1
 low water, she drove on farther, along the strand 21
 for want of dropping an Anchor; Not one word
 of the Treasure which they brought and carryed 13
 by land to *Cappanacossy*, and divided among 7
 themselves.

III. That about two of Clock in the afternoon the said
 Captain, Passengers, and all the Crew, returned on board;
 and the said Captain being informed that one *Thomas
 Palmer*, Clerk, and Justice of peace in that County, was near
 him, he wrote to him, to desire his assistance and advice
 to save him from the Irish Rabble; on which the said
Palmer immediatly came down & sent on Board a Corporal
 and five Soldiers, to guard them, which was all the assistance
 he said he could assist them with, and advised them to stay
 on Board, which they accordingly did, the storm yet
 continuing.

Ans^w. They returned not on board until the 13
 Capt. had first writ, nor alter Mr. *Palmer* came, 19
 untill he (understanding that they had their 7
 Treasure ashore with them) told them, that they
 were in danger of the Toryes; Then indeed, 21
 they hastned into the Ship again, which was a-
 bout Sunser; but dropt no Anchor to stop her, 8
 as she drove down again with the Ebb; the
 Master in his Letter seemed to be in great distress, 31
 and

and that he had not a Sail left; would any Master, if his Ship was not in a willful distress, stand
 13 ashore, and behold her all day driving to and fro,
 18 and pretend he had not a Saile left, when she
 25 had all her Sails? Mr. *Palmer* did promise more
 assistance then the Corporal and five Soldiers, and
 29 accordingly sent Men and Boats that evening
 19 (being fine and calm, and not stormy, as the
 Examinant says) But the Master would not Suf-
 for the Ship to be brought off; Mr. *Palmer* told
 12 them their Ship was the best Garison in the Coun-
 try, and advised them to stick to their Ship, but
 8 they all forsook her again next morning; Except
 the Master, Gunner, and Carpenter.

IV. The next morning (being the 29th of *January*)
 they all thought it most convenient, for the saving of
 their lives and mony, the Ship lying so very dangerously
 between the Rocks, that some of them should go ashore
 and carry the mony with them to the said Mr. *Palmer's*
 house; and that accordingly this Deponent, and the rest of
 the Passengers, and a few of the Ships Crew, brought the
 mony ashore, about 12 a clock, to the said Mr. *Palmer's*
 house at *Needen*, and on the account of the Captain and
 themselves, desired the said Mr. *Palmer* to shelter the same;
 which did amount, in pieces of Eight and Wedges of Gold,
 to the value of 2500l. or thereabouts, which he accordingly
 did.

Answ. They must needs think it convenient
 12 to go ashore to secure the Mony, when they had
 3 resolved to destroy the Ship; otherwise there
 1 was no danger of either that or their lives, upon
 easy ground and calm water, and the Ship Fleet-
 ing every Tyde; Does the Examinee call it but

a few of the Ships Crew, when they left but two of the Crew on board? And they did not acquaint Mr. Palmer with the Treasure in the Chests, until after the house was burnt and Robb'd. 43

V. That the said Examinee was ordered by the said Captain to desire the said Palmer to come downe to the Ship, to advise him the best way for saving the Ship and Cargo; who accordingly went down with one Mr Richard Orpen his son-in law; and sent the said Orpen on board to advise with the Captain; whose Advice was that the said Captain should send his Gunns ashore, which he refused to do, saying it would disable him from the common Enemy, (the French) who not long before, had taken two Ships out of that River.

Ans^w When Mr. Orpen went on board, he try'd the Pump, and found that the water in the Ship was dirty and stunk, whereupon he told the Master his Ship was Tyght, and that he would have her off forthwith; and advised the Master to prepare to put out the heavy Goods from aloft, as her Guns, &c. But the Master could not abide to hear of putting his Guns ashore, for fear of the enemy; Mr. Orpen told him that a Battery on the shore, within Pistol Shot of the Ship, would do much better, and small Arms would do much better on board. For the Enemy could not attack him any way, but in their boats. But the Master would not hearken to it; Though his Guns lay at that time (and so they have ever since) useles, heads-and-points along-Ships. Mr. Orpen askt him about his Anchors, and how he rid? The Master answered, By a small Kedger that had a Warp to it; That his best Bower was lost; That

That his sheet Anchor wanted a stock. Then Mr. Orpen desired him to send his Carpenter ashore, to make a stock, and Shewed him where there was good Timber within pistol Shot of the Ship, and that he would set some of the Country Carpenters to work with them, and fit up a stock in an hours time ; but the Master could not abide to hear of it. While they were thus discoursing, the Ship Fleeted, which Mr Orpen observed to the Master, but the Master (though 'twas fine Weather) Excus'd the not getting her away that tyde, saying, that all his men (except the Gunner and Carpenter) were ashore at Mr. Palmer's.

VI. That the said Captain agreed with Mr. Palmer to send him seven or eight Long Boats to unload part of the Cargo, whereby the said Ship might be lightned ; and so with the first opportunity of a moderate wind and high water, be got off from the said Rocks.

Ans^r. Mr. Palmer without any agreement, onely his promise, sent several Boats well mann'd ; but the Master would not suffer them to bring his Ship to a safe harbour ; but pack't them away again as soon as he understood that they were resolv'd to save her. And for opportunityes of Wind and Tyde, there wanted none ; if her driving up and down with Flood and Ebb the first day, and her fleeting every Tyde afterwards, in mild Weather, were Opportunityes ; as for Rocks, she toucht none, until after the Master and all had forsaken her, on the 30th of *January*, and then the wind arose hard at S. W. upon which opportunity the Master made three holes in her bottom, and turn'd her a drift.

VII.

VII. That the Examinee, with the rest of the passengers and some of the crew, being in the said *Palmer's* house about 12 a clock of night, the *Torys* or *Rapparees* came and set the house on fire upon them, which as they supposed were upwards of sixty in number, and shott in upon them throw the windows and doors, so that they were forced to rise out of their beds and defended themselves about a quarter of an hour, but the fierceness of the fire increased, and they were forced to break open the doors to save their lives, and immediately the *Torys* entred the house, brought out the Chest and opened it, and took all the mony that was in it; and stript this Examinee and some of the passengers, of their very Shirts, and beat them extreamly.

Ans. Now when the house was set on fire and Robb'd, Mr. *Palmer* was made to understand that this great Treasure was brought into the house 43 in the Chests, but never before; which if they had but told him of sooner, he might have saved all, and prevented his owne ruine, there being a party of 30 Soldiers quarter'd contiguous to his house.

VIII. That on the 30th in the morning the Captain came ashore to see what was become of the passengers, and left the Ship with an Anchor and Cable out to keep her from floating, and orderd the Carpenter to bore two or three holes in the Bottom of her, to hinder her from rising where she lay, that she might not float and beat against the Rocks; for by that means the Ship would lye safe, which was accordingly done, the lower Tyre of the Sugar being all wasted by the leakiness of the Ship in her voyage, and the rest of the Sugar lying high with the Indigo and Cotten, Ginger, and Logwood, Fustick, and Roman Vittrioll, could come to no damage by boring of the holes.

Ans. The Examinant was sadly put to it to find an excuse for the Masters forsaking the Ship,

That his sheet Anchor wanted a flock. Then Mr. Orpen desired him to send his Carpenter ashore, to make a stock, and Shewed him where there was good Timber within pistol Shot of the Ship, and that he would set some of the Country Carpenters to work with them, and fit up a stock in an hours time ; but the Master could not abide to hear of it. While they were thus discoursing, the Ship Fleeted, which Mr Orpen observed to the Master, but the Master (though 'twas fine Weather) Excus'd the not getting her away that tyde, saying, that all his men (except the Gunner and Carpenter) were ashore at Mr. Palmer's.

VI. That the said Captain agreed with Mr. Palmer to send him seven or eight Long Boats to unload part of the Cargo, whereby the said Ship might be lightned ; and so with the first opportunity of a moderate wind and high water, be got off from the said Rocks.

Ans^r. Mr. Palmer without any agreement, onely his promise, sent several Boats well mann'd ; but the Master would not suffer them to bring his Ship to a safe harbour ; but pack't them away again as soon as he understood that they were resolv'd to save her. And for opportunityes of Wind and Tyde, there wanted none ; if her driving up and down with Flood and Ebb the first day, and her fleeting every Tyde afterwards, in mild Weather, were Opportunityes ; as for Rocks, she toucht none, until after the Master and all had forsaken her, on the 30th of January, and then the wind arose hard at S. W. upon which opportunity the Master made three holes in her bottom, and turn'd her a drift.

VII. That the Examinee, with the rest of the passengers and some of the crew, being in the said *Palmer's* house about 12 a clock of night, the *Torys* or *Rapparees* came and set the house on fire upon them, which as they supposed were upwards of sixty in number, and shot in upon them throw the windows and doors, so that they were forced to rise out of their beds and defended themselves about a quarter of an hour, but the fierceness of the fire increased, and they were forced to break open the doors to save their lives, and immediately the *Torys* entred the house, brought out the Chest and opened it, and took all the mony that was in it; and stript this Examinee and some of the passengers, of their very Shirts, and beat them extreamly.

Ans^w. Now when the house was set on fire and Robb'd, Mr. *Palmer* was made to understand that this great Treasure was brought into the house 43 in the Chests, but never before; which if they had but told him of sooner, he might have saved all, and prevented his owne ruine, there being a party of 30 Soldiers quarter'd contiguous to his house.

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Ans^w. The Examinant was sadly put to it to find an excuse for the Masters forsaking the Ship,

To see what was become of the Passengers, as tho
 he had past a Bill of Lading for them, and for fear
 he had lost them, he goes ashore to get a receipt for
 their bodyes, Leaving the whole Ship and Cargo
 to a Mob, whose mercyes are very crueltyes,
 17 without riding her by any Cable, Warp, or any
 19 thing whatsoever; And to prevent her driving,
 10 he caused the Warp whereby she rid, to be slipt;
 And to Preserve the Sugars, Indigo, Cotton, Vi-
 triol, &c. he order'd three holes to be bor'd tho-
 22 row her bottom, as she lay in three foot water at
 low water, and Flows 12 foot more at high wa-
 ter; the most modern fashion now extant to pre-
 serve a rich Cargo in a Ship that is but ten foot
 in the hold; and the poor lower Tyre (forsooth)
 exactly condemned as lost before she came there,
 22 by her leakiness, though the water stunk in her
 3 when she arrived there. But this was done to pre-
 6 vent her beating against the Rocks whereon she
 lay, whereas she toucht not a Rock until after the
 Master had turned her loose; But if he had been
 well practic'd in Water-Clock-work, he might the
 better have understood how many inch-and-quar-
 ter augur-holes, are requisite in so many hours be-
 fore next high water to fill the lower Tyer, if it
 were empty, and if he knew how much the same
 would contain; But for want of Judgment in
 such branches of the Mathematicks, and to
 avoid the exactness of the triplicit augur-holes,
 you may perhaps hear, that in his next trick, he
 will contrive (*willfully by mischance*) to have
 three

three Guns fired at once thorow her hold, and then he need not doubt her speedy Sinking.

IX. That the Captain advised with the Examinee whom they should do to save the said Ship and Cargo from the Rabble and Tories, and thereupon they thought fit to desire O Sullivan More, Captain Carthy, Mr. Aldwell, and Mr. Clark, two English Protestants, to go on board to secure the said Ship and Cargo from the Tories, O Sullivan and Captain Carthy, of the Irish the head in that Country, and this deponent beleeves that by that means to prevent the meaner sort from using any violence, That the said four persons went accordingly on board and promised to secure the Ship and Cargo, having an order from the Captain, and an instrument under his hand to have the one halt for the Salvage.

Ans. They had it seems pack'd the Cards before they could well hide the cheat, and without 21
doubt advised with one another in all secrecy 10
how to make a shew of innocence, and since the 15
mony to their greif was all lost, and the Ship to
their disgrace safe in a Creek, It remained now
how to blind the owners and the world, that they
might not see the mony carryed ashore with any
other then a harmless intention to save it; and to
manifest their industry, he says, that these four
persons employ'd, went aboard; But had not
Mr. Orpen sent Mr. Kelly to have them named in
the instrument for Salvage, as in trust for him the
said Orpen, and as his friends, It's presumed that 11
the Master had never thought of them. But none
of the said persons went on board in that manner
as the Examinat speaks of, for Capt. Carthy, and 16
Mr. Aldwell went not aboard until the next morn-

ing after the Master had deserted her, & until after the Ship was (to his shame) brought safe to the Creek by others employ'd under Mr. *Orpen*; Mr. *Clarke* came not near her in ten days after, O *Sullivan More* knew not any thing of the matter, and never came at all to her, neither was he employed or desired by any body whatever to be concerned, as appears by his and the rest of the Affidavits.

23 X. That after they went on board, they confess they found all things in good order save 2 barrells of Indigo which the Captain brought ashore, and one hogshead of Indigo, whereof some part was taken out.

Ans.w. What a confession is here exprest by the Examinat, when that the Master in open Court declared upon Oath, and as you see by the Affidavits of several good Gentlemen, that there were eleven (some barrells, some hogsheads) of Indigo brought from Shipboard along with the Master when he forsook her, Every thing was in a monstrous good order when the water was within a foot and half of the Beam, and the Ship Plundered by her own men, and that by the Examinats order.

23 XI. That the same night the said *Orpen*, and one Mr. *Thomas Crump* along with him, came on board the Ship, and demanded of the said O *Sullivan More*, by what authority they came on board, who thereupon shew'd them their order from the Captain; But the said *Orpen* and *Crump* forced the said order from them, and seized the said Ship and Cargo, the said *Orpen* for the Admiralty, and *Crump* for the King; the said *Orpen* producing a Broad Seal, and turned the men ashore which frightened them away.

Ans.w. The Examinant runs on with a most chyme-

chymical Concatenation of fallities; For 'twas
 in the morning that *Orpen* and *Crump* went on
 board; and how was *O Sullivan* More Demanded 16
 to produce his order, and how was the same taken 23
 from him; who never went near the Ship and 15
 never was employed or desired by any person to 10
 be concerned; and how then was *O Sullivan* 15
More turned ashore that never was on board, and 26
Mr. Clark that came not near her until ten dayes 16
 after, and *Mr. Aldwell* and *Capt. Carthy*, who
 came not till next morning and were then em-
 ploy'd by *Mr. Orpen* to help to save the Goods:
 But now comes the dead doing Blow, *Orpen* for
the Admiralty, and *Crump* for *the King*, Seized the
Ship; and *Orpen* shewed a Broad Seal. O Ter-
 rible peice! what necessity for a broad Seal after 15
 his People and Servants had brought her safe to 23
 the Creek by virtue of the power which the Mast- 20
 er gave him the day before? Neither did *Orpen* 9
 perform one Ceremony that belongs to a Seisure,
 yet there was indeed an old broad Seal produced,
 which was not against any right Claymant, But
 to encourage the men to their arms, against the 23
 intruding Rabble and Rapparees, as appears by 18
Mr. Orpen's discourse to the Master when he re- 28
 turned to her, which was not until 3 days after she 4
 was brought into the Creek by *Mr. Orpen's* men, 20
 who then desired the Master to stay in his Ship,
 and bring his men to save the Goods; adding 5
 that one Seaman, was worth five Landmen upon 20
 such Service, but the Master thereupon hastned
 away all his men out of the Country. XII.

XII. That when they left the Ship they gave charge to the said *Orpen* and *Crum*p to take care of the goods being in the condition they found them in as aforesaid, and then went to the Captain, and gave him an account of what was done, who the next morning, with several of his men, went a board and demanded the reason of their proceedings. But they turned the Captain and his men ashore, and quite dispossessed him, having seized her as aforesaid; The Captain charged them to take care of her, and not to imbezle the Cargo on board, for that they should be accountable for it and their proceedings. But they answered him that he needed not to concern himself, he neither had nor should have any thing to do with it.

15 *Ans.* He goes on still with the same thred
16 of his first spinning; when did *O Sullivan More*
26 and *Mr. Clark* leave the Ship, that were not near
16 her, and when did Captain *Cartby* and *Mr. Ald-*
well leave her, that went not aboard till after she
was safe in the Creek, and were employed all
along by *Mr. Orpen*; and the Master went not to
the Ship in the morning, but in the afternoon,
being the third day after he had deserted her;
neither had he of his men along with him any
more then the Gunner, who was one of the prin-
cipal Caballers about boring the holes; and
though the Examinee says that they were quite
dispossessed; Its manifest they were earnestly intreat-
5 ed, especially the Master, to stay on board and
21 bring all his Men to help to work; but he would
not be advised, which is directly contrary to what
the Examinat swears. Its true he attended so long
21 as while he filled about half a dozen baggs
vvith the best Sugars, and carryed the same
with him to his quarters.

XIII. That the next day this deponent saw several hundred horse-loads coming from the said Ship, loaded with part of the Cargo belonging to the said Ship, by the said *Orpen* and *Crumps* order; and this Examinat sayth, that he was told by several who bought thereof, that the said *Orpen* and *Crump* disposed and sold the said goods to every one that would buy.

Ans. Tis very probable that the Examinat saw some horses, but not one hundred, laden with the Ships goods; The greatest part where- 23 of were with goods sold and disposed by her 29 own men, and some were laden away with 18 Logwood to the store houses appointed by Mr. 20 *Orpen*, and others carryed away the Sugar in great quantities, which the Master gave them while he was aboard. But its not in the power of man to say that *Orpen* or *Crump* sold a penny worth of the whole Cargo, though hundreds will prove that the Master, Passengers, and seamen, 2 made havock thereof to every one that would 23 buy, and never exceeded Robin-hoods penny 21 worths.

XIV. And the said *Crump* being Officer for the King, forgave the buyers the duty and discharged them thereof; and also gave them Permits, and that the said *Crump* and *Orpen* sent eight horse-load of the said goods (as this Examinat is inform'd) to *Kinsale* to Captain *John Waller* Deputy Governour of *Charles-fort*.

Ans. What paines would not the Examinat undertake to out the Kings officer, or any one that had a hand in saving what they would have destroy'd; at length he performs it with this most execrable assertion, that he had forgiven the Kings

Kings duty, and gave Permits, the onely taking thing to turne him out, vvho vvvas never guilty of any such behaviour, and before the Wars vvvas employ'd for 20 Years together, and for his faithfullness and integrity, vvvas in very great esteem with his Superior Officers; Nor does the Examinat regard how he bespatters any person of what vvorth or quality soever to rid himself and Crevv of that indelible spatter vvwhich they vvill never be rid of; The Lt. Governour of *Charles-Fort*, who is known to be a person of Honour, and abhors any dirty action, must be brought into the story for eight horse-load of Goods sent him; and 10 is as true, as that *O Sullivan More* was turned out 15 of the Ship, which he never Saw.

XV. And that the said *Orpen* sent several boat loads of the said goods up the River to his own House, and other places, by which proceedings of *Orpen* and *Crump*, there is not visibly left the value of 500*l.*'s worth of goods of all the said Cargo; Though at the time that the said *Orpen* and *Crump* took possession thereof, it was, and this Examinat beleeves to be worth between 5 and 6000*l.* the whole damages sustained both as to Ship, Mony and Cargo, being about 10000*l.*

Ans^w. A farr fetcht aggravation, *That Orpen carryed some of the goods to his owne house.* Had there been room for them, he had sent all the rest 10 to the same place, but for want of conveniency, 28 he sent most part of them to be secured in the houses of the best Gentlemen of that Country. If 500*l.*'s worth of the goods were saved, its 500 times more then was expected or hop'd for by the People

People belonging to her and in all appearance the Ship, Cargo and money, was worth some thousands of pounds; but observe, it [*was*] and then he [*believes, &c.*] all which might indisputably have been saved had not the Examinat and the rest carry'd the money ashore, with some sinister design, and had not the Master caused the holes to be bor'd 20 to destroy the Cargo, and turned the Ship adrift, 17 that she might beat, and be torn to pieces, by 21 the Rabble and their own men. 19

XVI. And this Examinat saith that the said *Orpen* and *Crumpe* took the very Sails, Riggins, and Furniture that were left of the said Ship, and conveyed them away among the rest of the goods.

Ans^w. How now, Mr. Examinat! you want the main property of the *fourbe* or *frispop* Wit, a good memory; Has the tediousness of your bladder-blown Examination made you forget in the Rear what you have said in the Vantheros, it's not above half an hours reading since you have plainly said in Page 56. that she had lost all her sayls; Had the Saylers, Master, and Examinat, been as sound at heart as the Sayles, all had been well, and the adventuresous Owners might have received a Successful return. Now Mr. Examinee, you must call aloud to your high Sh. Captain, and Mr. *Bl.* and try if t'other bagg of Sugar a piece, to each of them can help you? Nay can any pecuniary mulct wipe this Blot out of your Escutcheon, if you have any coat of Arms? What *Hocus-Pocus* tricks are here? *Tis* and 'tis *not*. The Master in his Letter

3¹ of the 28th of *January* to Mr. *Palmer*, and you
 in the forlorn part of your Examination, agree,
 that she had not a sail left, yet towards the fagg-
 end of the same Examination, *Orpen and Crump*
took away the very sayls, &c. But least the curious
 Reader might be at a loss to know which is which,
 18 or where to believe you; 'tis most obvious to the
 13 World, that she had a very good suit of sayles
 25 when the Master forsook her, and had not the
 unlawful lucre of the 2500*l.* withdrawn the hearts
 of the Saylor's, the Sayls might have carryed the
 Ship far enough from *Orpen and Crump*.

XVII. That this *Examinat*, Passengers, and Ships Crew,
 being strangers in the Country, the said *Orpen and Crump*
 gave out ridiculous reports about them, purposely to
 frighten them, and make them odious to the Country,
 the said *Orpen* confest to this *Examinat*; and afterwards
 advised him to run away and leave Ship and all behind
 them, telling them that if they would stay, he believed
 they would be all knockt in the Head.

Ans^w. Though they were strangers in the
 Country, 'twas the Mate and Carpenter that gave
 out ridiculous reports of them, and discove-
 red the whole intrigue of destroying the Ship;
 'twas their own Consciences, whose ghastly Spe-
 ct^rums they could not be rid of, and not *Orpen and*
Crump, that advised them to flee from the place
 where they had committed so vile a fact; but few
 abiding upon that ground where themselves
 have been Guilty of Blood-shedding, or other
 foul crimes,

XVIII. That within 12 days after the said *Orpen* and *Crump* had taken possession of the said Ship, Mr. *Charles Monke* the Kings Collector for that County, Mr. *Edward Herbert* the high Sh. Mr. *Gibbings* the Surveyor, and Capt. *Gregory* Governour of *Rosse-Castle*, came with several Soldiers to take the Examinee and the rest belonging to the Ship prisoners, the said *Orpen* having informed them by Letters that they were Pyrates, or little better.

Ans. The Examinee has not yet found his Journal, for 'twas within Seven dayes after the possession, that Mr. *Monk*, Mr. *Herbert*, Capt. *Gregory* and Mr. *Gibbings*, came into that Country; and the Soldiers came to guard them, and not to take the Examinee and company Prisoners; Neither were there any such Letters as the Examinee Speaks of. But there wanted not grounds enough to have them taken up; The Carpenter having upon Oath, before the Capt. and high Sh, discovered the whole plot that destroyed the Ship. and Cargo; But they had more Grace then to take them up, having a far greater appetite to take up some Wallets of Indigo and Sugar. 95

XIX. But the said Collector understanding by their Clearings of the Office and Government of *Jamaica*, which the Captain produced, that they were wronged, gave no Credit to the said *Orpen* and *Crump*, but was highly incensed against them, and told them that he would acquaint the Government of their villanys, whereupon the said *Orpen* delivered up the Ship to the said Captain, But stopt the goods that were visible in his possession, alleging that he ought to have the half Salvage, and quitted the seizure.

Ans. The Collector never understood by their

Clearings that they were honest men ; for they
 46 produced but very imperfect Bills of loading,
 particularly there was for the Indigo no other In-
 voyce but thirteen barrells, whereas Mr. Orpen
 made it appear to their faces that there was a
 21 great deal more, and other sort of Casks, as Pun-
 chions and Hogsheads of Indigo and other Goods,
 33 which were havockt away by the Examinant
 and by the rest of the Ships Company,
 But this *Lyell* was never Shipt as Master ; but the
 Master dying (as they alleage) after they left *Fa-*
maica, Mr. *Lyell* (as he pretends) was desired to
 take upon him the charge of the Ship ; and thus
 46 he became Master, yet all this while the former
 Masters pocket-book, or any other thing to shew
 their honesty from *Faimaca*, or a true Invoyce
 from thence was never produced, so that whether
 any part of the Cargo was transhipt into any o-
 ther Ship at Sea, is yet doubtful. And though they
 appeared as very honest men to the high Sh. Capt.
Greg, and Mr. *Bl*. It was not so until some hand-
 som oblations of Sugar, Indigo and Cotton, were
 first made. But as for delivering up the Ship, &c.
 the Master would not be perswaded upon any
 terms to look after her, & had not Mr. *Monk* cry'd
 45 shame at him, he had not gone to her any more ;
 and though by much ado he was now in a man-
 46 ner forced to go on board, Yet he left her the same
 day, and came not to her in five dayes after, nor
 then, until he was Soundly raild at again by Mr.
Monk for his Neglsence ; and tho' he remained
 in

in the Country for three weeks afterwards ; so careful he was, that he went away and left the Fustick lying among the water and Ballast.

XX. The said Examinat further saith, that the said Orpen produced a Letter to him, which he said he received from *Thomas Farren Esq;* Judge of the Admiralty at Cork, and the said Captain *Waller*, ordering him to seiz the said Ship and Cargo aforesaid.

Answ. There was no Letter from *Mr. Farren* ; and *Capt. Wallers* Letter was dated the 25th of *February* being 12 dayes after the Examinee left that Country, in which Letter, are these words [*Be carefull of every thing belonging to the Ship Laurell, for since the men are saved, the Ship and Goods are still the Owners, for which you are to have Salvage*] but the distorted opticks of the Examinant have extorted words of other shapes and hews, from a Letter which he never saw.

XXI. And further saith that the said Orpen did confess to this Examinat, that he gave out many false and Scandalous reports upon the said Captain and company, but it was in passion,

Answ. This is such another confession as *O Sullivan More's*, where the Examinat sayes that he confess'd that he found all things in good Order on board the Ship, who never was on board her.

XXII. And this Examinat further saith, that the said Captain *Gregory*, the Surveyor and the high Sh. of the County of *Kerry* told him that the said Orpen did offer to bribe them purposely to set them against the Ships company, but they refused to do the same, and this Examinat saith that he hath bribed several on that account, as this Examinat has been enformed.

Answ.

Ans^w. Notwithstanding that it's believed that the Sh. and Captain *Gregory* would say any thing for their votaries, its a question whether the above Paragraph be not the Examinats own, tho' after the Country had laboured greatly under the frequent extortions of the Captain and his Soldiers; And the Sh. so nerimes granting his Replevin to these Soldiers against the new English, with no other design then to possess himself of their Goods, and then Superseading his own Replevin when he found that the Soldiers would not bring the goods to himself; The whole Country being in a tumult through these oppressions, which astonisht the English to find the Laws administred in this manner, where they expected such uprightness as might be leading to all the rest of the

11 Country; The Sh. profering 23 Guineas and 2 C.
 33 weight of Sugar, to get the Masters Note for Salvage out of Mr. *Orpen's* hands, His sending to Mr. *Orpen* that if he would give him Twenty Guinea's, he would compose all matters to his content with the Master, and alwayes siding with one or another, and setting the people of the Country & the people of the Ship at variance; It's very manifest that tho' there was no Bribery, there wanted not Inducements of the first Rate.

XXIII. And this Examinat further saith that the said *Orpen* wrote to one Captain *Cunningham* then Governour of *Ross*, as he was enformed, to let one *Cnoher* Boy O *Sullivan*, who was then one of the chief of the *Toryes*, then in custody, to make his escape; who accordingly made his escape and was the head of the *Toryes* as this Examinat

was enformed that burnt the house and Robb'd the *Examina-*
nat and company of their Money aforefaid.

Ans^w. Though this paragraph is already answered, page 27. yet it's not amiss to ask the question, How came *Cnober Boy* to escape at Mr. *Orpen's* instance, when Capt. *Cunningham's* own 39
 Letter denyes any such thing, and was vext at the
 escape? If he was a Tory, how did the Capt. dare 38
 let him go? If he was not, it's not a farthing matter at whose instance he escap'd: If he escap'd at
Orpen's instance, how came it that he carryed his 38
 Irons away with him? as also the Centinells Mus-
 quet? If he escaped at *Orpen's* instance, why
 was he pursued immediately by the Soldiers? If he 37
 was a Tory, why did not he forthwith after his
 escape, Joyn the Tories that were then out up-
 on their keeping? But it being discovered that
 he was a Spie upon them, they sought his life
 on the one side, and on the other side, he was in- 38
 cessantly pursued by the Soldiers, and at lenth forced, *se defendendo*, to set up a company for him-
 self, and became the worst of Tories. But has
 Capt. *Gregory* committed one Tory to Goal during
 the whole time of his Governing in that
 Country? Mr. *Orpen* has, by the discoveries
 of *Cnober Boy*, brought into Goal great numbers 34
 of notorious Murderers and Robbers; and for
 fear he should by the same means, bring in the
 Rest in the same manner, and so spoil the Soldiers
 Trade of free Quartering, *Cnober Boy* was forced 33
 to become Tory, and *Orpen* (who was the great- 34
 est

est Prosecutor of Malefactors) must now be accused as a friend to such. In the mean time, while these Loyalists are telling a story of *Crober Boy*; they have sufferd great part of that Provence to be over Run with Toryes; and these Soldiers (being a sort somewhat tamer) do imitate their footsteps, and under pretence of beating for them, (whether for want of Pay, or to oblige their Capt.) have Robbd the Country almost of what the Toryes left; And the Commissioners of the Revenue will find but a very sorry return from thence for many years to come, by reason that great numbers of Families have fled from the crueltyes of the lawless Robbers, and as little Lawfull Government of this Captains Soldiers, the latter having plundred at the heels of the former, those parts are in a manner laid waste.

But this being a Discourse which hath a volume of its own; Its high time to return again to the Examinat, who has made such a horrible Narrative in his topsy-turvy Examination of things, that *were* and *were not*, in a sort of Legerdemaine and sometimes a *Hysteron Proteron* Scene, where there was no manner of *Horse* at all to be found, nor a *Cart* to set *afore him*; yet from the 30th of *January* to the 7th of *March* (being the day whereon his abominable Examination came into the World,) was a considerable time to frame his Heteroclitical Modell of the whole proceedings upon the Ship *Laurel*, who left her the 26 29th of *January*, and was never any nearer to her

her afterwards, then 3 long miles distance; *Quæ* 26
cunque novato ritu deficiunt superant ve Heterocli-
ta jundo, and after this his Pike-and-dagger-account,
 (some too long, as some too short for any recon-
 cilable medium of Truth) the religious man will
 judge, that the Jew had but little regard to either
 Testament, when he fired off this Examination
 at random with both eyes winkt at once; The
 tonitruous bellowing whereof, has not onely fright-
 ed away many innocent people from their Hou-
 ses, but has also smitten the minds of the Nations
 with a wrathfull concussion of concern'd displea-
 sure against them; and at length it prov'd

*A Puddle-Fight, or Battle of Squirt;
 Ne'er a Man kill'd, and no Body hurt.*

Save that it graz'd upon Mr. Orpen, and so stunn'd
 him into 5 weeks confinement in *Kerry*; and
 from thence tumbled him most Unbailably head-
 long for 7 score miles together, in custody, closely
 begirted with some of the treasonable Chain-
 Shots; But in open Court, *He brake those*
Withs as a thred of tow when it toucheth the fire.

But Mr. Myars went not to *Dublin* upon that
 affair, without the advice of the high Sh. who
 having by his letter of the 13th of *February*
 given the Government a partiall account of the
 proceedings upon the Ship, did not omit to in-
 struct the Examinat in such particulars as were re-
 quisite to justifie that Letter.

L

Now

NOW the Unbyast Inquisitor may from hence make the following Observations, vizt.

1. That the Ship was 4. leagues west of the *Bull*,
 18 *Cow* and *Calf*, and the wind at west, when first
 they made them, and designed for *Kinsale*, and
 might have Sayld thither right afore it, when
 they stood extravagantly for *Killmare*; and then
 what danger could there be when they were got
 nine leagues up into such a River?

22 2. That they cut and hackt their yards that
 18 they might break and make a shew of distress.

3. That they forsook their Ship at *Black-*
 6 *Water*-mouth, where there was no manner of
 12 danger, and carry'd their mony ashore, and sunk
 their boat, and trickt the Ships helme that she
 might not follow them afore the wind into the
 Harbour.

31 4. That the Master and the Examinee have
 13 both averr'd that they had not a Sayle left, when
 18 there was a very good suit of sayles on board at
 the same time.

7 5. That they resolved to go no more aboard
 13 untill Mr. *Palmer* told them of the *Toryes*.

6. That Mr. *Palmer* told them their Ship
 7 was the best Garison in the Country; and why
 42 then would they carry their mony ashore? the Ship
 being in no manner of danger.

1 7. That she drove to and fro before their
 2 faces all that day, with her sayles lower'd a hull,
 18 no anchor dropt; and all means for preservation
 10 despised; at length the *Kedg*-anchor was
 dropt

dropt by a stranger, and she fled day and night. 3, 12, 29, 14.

8. That the Master denied that he had any stock for his sheet Anchor, whereas the stock was then on board.

9. His refusing to have a stock made in an hours time.

10. That the Examinee positively saith that O *Sullivan More*, Mr. *Clark*, Mr. *Aldwel* and Capt. *Carthy* were turned out of the Ship; Whereas O *Sullivan More* never came near her, Mr. *Clark* came not in 10 days, Mr. *Aldwel* & Capt. *Carthy* (who came not until next morning) were employ'd by Mr. *Orpen*, to whom all do attribute the right of Salvage.

11. That the whole Cargo (especially the Sugars) was in a manner damnified, before Mr. *Orpen* went on board, by means of the holes which the Master made in the Ship.

12. That the Master (when he forsook the Ship for good and all) desired only 2 Casks of Indigo to bear his charges out of the Country, and bid every body take the Rest, a hopeful invitation to the Country to come in and tear her all to pieces.

13. That by *Peter Row's* Examination before Barron *Ecclin*, and by all other Examinations hitherto, it never appeared that he had any Sugar at all in that Ship; yet *Orpen* was found guilty for two hogsheads which Mr. *Row* had not in the Ship, and not guilty for the Lyme-juice which was in the Ship.

14. That the Master at the Tryal of the indictment, answered upon Oath, that he could not Accept of the assistance of the boats to bring
30 away his Ship, because 'twas a most dismal stormy night. and so dark, that he could not see his hand; whereas it was proved in open Court to be full moon, and a glorious calme night.

30 15. That the Master declar'd that she was ve-
12 ry, leaky and in regard that the water stunk, he
42 alleg'd that the Sugar made it stink.

16. That there's one thing more observable in Mr. Orpen's Justification, *Viz* that there were but eight hogsheads of Lyme juice on board, and so many he saved without imbezlement, and might have done the like with the Sugars and all the
17 rest, had not the Master bored the holes and slipt
19 the warp, and turn'd her loose to the Mob and her own men.

62 17. That the Examinee gives a long account
15 though he never went near her after the 29th of
32 January 1693, being the day before the Master
10 forsook her; But, what has leak'd away through
16 the warpt hulk of his wind-shaken memory (touching the Sayles that were and were not,
26 Turning the people ashore that never were on board; That she rid by a Cable, when there
32 was not so much as a Warpout, &c.) is Supplementally repaired in his idæal Examination of the whole proceedings, which he likewise never saw, and were not.

40 18. That Cap. Greg.'s men sold the Ships Goods,
and

and he imprisoned the Buyers till they compounded with him for 6 Guineas Bribe, and then set them at Liberty, yet sent his Brotherinlaw and other Soldiers to take away the Goods.

19. That it's admirable, that neither the Examinee nor the Master, hath in all this progress, given an acompt that they fired some great number of Guns for Pylors, Since they fired none at all during the whole time of their pretended distress.

20. That by their own confession upon Oath, 42 she came ashore after 7 a Clock in the morning, 1 and suppose that there were no wittnesses to prove 3 that she fledted afterwards, as there are, the 6 whole Country, that she did all that day to and 12 fro' with Flood and Ebb ; Lay it before all the 21 Mariners in the world ; If a W.S.W. Quarter S. Moon gives high water in the River of *Killmare*, then, about 8 a Clock in the morning on the 28th of *January* last, gave low water in the same place ; and all those Mariners will say that a Ship striking at low water vvas never before known to stick in a calm pool, but infallibly brought off, ualefs some leaks had set her down, and so kept her fast as the yde arose. But to clear that point she Remains (in *Killmare*) Tight to this day, save the holes that the Master caused to be made in her, which was not till three dayes after she struck.

21. That the Master, Passengers and Ships company have no way to save themselves, but by laying their horrid Crimes upon others ; and what will not such Principles alleage, say and Swear ?

And

And what will they not give for wittnesses, rather
 11 then ly in Goal for such a Cargo, and so much mo-
 ny ? Look back to 43 and 44

22. That the high Sh. Capt. Greg. and Mr Bl.
 have been more then ordinary mercenary in the
 whole proceedings, *Et dabit Deus his quoque finem.*

23. Why is Mr. Orpen prosecuted, who saved
 45 all that was to be saved, and gave a fair account, and
 may be most serviceable to the Owners? And why are
 they that have imbezled above a thousand pounds
 worth of the goods, tamper'd with to be prose-
 cutors and wittnesses ? Is it not because the greatest
 Plunderers were the greatest Friends to the
 design ?

24. How easily all the mony might have been
 43 saved, and Mr. Palmer's ruine prevented, had
 they but told him in time, that the Treasure was
 in his house, which he was never made to under-
 stand till after all vvas lost.

8 25. That the Lucre of the 2500 l. has been
 the Ruine of the Main Cargo ; And the whole
 Practices hereupon have been absolute combina-
 tions, &c. as the profering Ed. Dunigan 20 l. for a
 11 false Oath. Look back to 43, The apprehending of
 Mr. Orpen's wittnesses for Felony upon no other
 32 account then to frighten them from giving their
 33 testimony &c.

The Sh. and the Master offering 23 Guinnyes
 and 2 hundred weight of Sugar to get the Master's
 11 note for Salvage out of Mr. Orpens hands &c.

The Sh. sending to Mr. Orpen for twenty
 Guinea's

Guinnyes and he would settle matters with the Master to Mr. *Orpens* liking; and because he could not have the 20 Guinnyes, he swore that Mr. *Orpens* offer'd to bribe him, &c.

26. That all the Ships crew (except two) kept ashore with the Chests, and never regarded the Ship any more, and by chance saved their shares of the Treasure, having carry'd away their proportions before the house was set on fire, and left the Master, the Carpenter and Gunner to manage the destruction of the Ship and Cargo, to colour their slipping away with the Treasure.

27. That Mr. *Orpens* had full power to manage the Ship and Goods, and brought her safe into a Creek to the Masters shame, though she had much water in her when he forsook her.

28 That the Note which the Master passed for Salvage, was for Mr. *Orpens* use and behoof, and for no other end whatever.

29 Why did the Master profer and 2 hundred weight of Sugar as a bribe to get that Note back out of Mr. *Orpens* hands?

30 The abstruseness of the Examinats Excuse, for the Master's forsaking the Ship, [*To see what was become of the Passengers*] leaving a rich Cargo in a fine Ship of 10 foot in the hold, with three Augur-holes, in 15 foot Water, without Warp or Cable, to a merciless Mob, headed by her own Men.

32. That they had premeditatedly resolved to cast her away, but could not, without some Artificial

21 tificial Prejudice first done unto her.
 23 32. That her own Men were the first that
 18 broke open the Hatches, and made havock of the
 21 best of the Goods.

33. And you may remember that it hath been
 an ancient custom when Ships have been willfully
 cast away in this manner, to have the Owners or
 Merchants embroil'd into Law Suits by the Mast-
 er, and to have the Country (though never so in-
 nocent where such wickedness hath been commit-
 ted,) made a Sacrifice to the Loosers, for a warn-
 ing to future ages that all others might hereafter
 flee from a Ship in distress, and shall not dare
 presume to save her, for fear that the Master had
 premeditatedly resolved to throw her away; As the la-
 mentable consequence which happened soon after-
 wards to the *Joseph* of *Bristol* burthen 260 Tuns,
 from *Mevis* with a rich Cargo, being forced into
 a real distress near *Killmare*, nothing was more
 possible then to have saved her with a very little
 assistance; But the Country who were freshened
 with the late fate of *Killmare*-people; That are
 impeach'd as a pack of Traytors for performing
 a work of Christianity; made fast their doors, and
 with their whole families wives and Children, fled
 from their houses as from an epidemical plague,
 and Returned not again till she and her Cargo
 were utterly lost for want of help. And must the
 nations suffer shipwrack thus for the *Laurells* sake?
 The Mob indeed might hasten in to rend out *Gods*
penny (so called) But People of repute who could
 help

help and preserve, Sneakt away from her relief,
for fear they should soon be forced to run the
Gantelop of prepared Combinations; *Felix quem
faciunt aliena pericula cautum.*

33. That Mr. Orpen has taken and sent to 33
Goal 92 most bloody Murderers and Robbers, 34
Cunatum labor est angues Superare mearum. And
though Capt. Gregory has not brought in one du-
ring the vvhole time of his Governing in that
Country; yet he serves novv as an Informer to
impeach him for a Traytor that brought in the
92; But God forbid that such doings should e-
ver incline the mind of any good Subject to that
odd saying upon true Service contemn'd,

*Think not by doing well, a Fame to get;
But be a Villain, and thou shalt be great.*

And how necessary the consequences of such im-
peachments can be to the good of the Kingdom,
the Government vvill undoubtedly Judge.

And when the most Just GOD, that seeth in-
to the bottom of all hearts, shall in his due time
think fit that these and such-like Gentlemen
(who have disturbed the greatest part of Their
Majesties Dominions, with their false and scanda-
lous Insinuations; and the better to pass in Mas-
querade with their horrible Machinations, have
laboured to fix their vile clandestine Facts upon
the Innocent) should be called to a Court of Ju-
stice, to receive their condign Punishments from

M

Humane

Humane Judicature ; Then the Bells of the Nations would counter-ring their Stratagems to the World ; and so the Owners, which are indeed the greatest Sufferers, would come to know the grounds of their Misfortune ; and the Loyal Subject would stand right with the Government, and be well look'd upon for his good Services.

A POST-SCRIPT

To the Owners of the Laurel.

Gentlemen,

I Heartily condole your bad fortune in that Country where I am concern'd : But yet since it was a design'd Wickedness, it's all one to you upon what ground it happen'd : Tho' it is not so to me, that have suffer'd so much by it in my Reputation.

Now whether the Jew, the Master, the high Sb. Captain Greg. or Mr. Bl. was the Arteria Magna that gulpt out the respective motions to every one of the rest in his Station, of Transforming good Service into Felony, Treason, &c. I presume Mr. Myars can best inform you, and the Reasons thereof.

Who were the chief Projectors to ruine a rich ship thereby to gain an opportunity to carry off the Treasure behind the Curtain ? Mr. Lyell may tell you that it was Mr. Myars and himself.

Who

Who brought the Ship (of ten foot in the hold, with their 3 politicall Augur-holes in her bottom, in 15 foot water) into a safe Creek? I take that upon myself, as done by my people. But,

Who were they that Dabbled up to the Elbows in dirt for Witn:esses? Perhaps these two Gentlemen will excuse themselves, and say that Capt. Greg. Mr. Bl. and that Braying Engine of Information, the Major, profer'd their service.

And as for the harsh account which they have given you of my Behaviour, I conceive it to be some Miscelany Scraps of the Jew's Examination, which he forgot to put into Writing whilest he was in Ireland. Therefore for the General Satisfaction, and very much for yours (for its you indeed that have paid the Piper) I have here stept into the Press, with this short Narrative, which I hope you will find sufficiently justified by the following Appendix. Most heartily wishing that you, and all other good Men, may never have Occasion to put confidence in such a Master as Mr. Lyell, or such a Friend as Mr. Myars; I take leave to subscribe,

Gentlemen,

Your very humble Servant,

R. O.

F I N I S.

ERRATA.

In the Book, Page 18. line 7. for *good*, read *Goods*; in page 41. line 11. for *present*, read *pretended*; page 75. line 29. for *the*, read *these*.

In the Appendix, Page 22. line 13. for *extraordinary*. read *ordinary*; p. 31. l. 1. for 1694, read 1693. p 45. l 3. leave out *not*.

THese being the most material Faults that have escaped the Press, the Printer desires the Reader to amend them, and to excuse the literal Errata; and for others (if any be) to enquire of Mr. Orpen himself for his own Sence concerning them.

10 JY 57

A N

APPENDIX,

*Containing the Vouchers that
Justify the fore-going NARRATIVE.*

Timothy Turtane of Toasista in the County of Kerry, Mariner, came before me this day, and made Oath, That on the Twenty-Eighth day of January last, the Ship *Laurel* of London came up the River of *Kilmare* with her Fore-sail and Main-sail loose in disorder, without any person on board her, and saith that about seven in the Morning she drove up to *Cappanacossy* upon the Strand; and about the same time the Master came to *Cappanacossy* with several Bags of Money, carried by his Ships Company, and went all together into the House of *Dermot Mac Owen*, about a quarter of a mile off the Ship; and saith that the Master remained there about eight hours, without seeming to take any notice of the Ship, which drove to and fro in his sight, as the Tyde ebb'd and flow'd; but saith, that the Master sent for a quarter Cask of Rum, and about one hundred pounds of Sugar, wherewith the Master and his Company, together with some of the Countrey People, made themselves merry ashore, while the Ship was driving up and down with the Flood and Ebb before their Faces; and saith, that towards the evening the Master went on Board, as did likewise this Deponent, and the Ship

Ship was still driving to and fro, without any Anchor dropt; whereupon this Deponent ask'd the Master to put out an Anchor; the Master answer'd, That his Cable was not in order; this Deponent told him that he this Deponent would put out the Kedge-Anchor that had a small Warp to it; the Master told him he might let it alone; however this Deponent by the Masters consent at length dropt that Anchor; and saith that the Master never caused any other Anchor to be put out, but that the Ship rid out wholly by that small Warp until the Master deserted her, which was the third day after, notwithstanding that there were then on board the Sheet Anchor, and small Bower, with Cables suirable; and saith that he called to the Master, and told him that his Ship was Tight, and that the worst Weather made but very little Seas in that place, and that she was in no manner of danger; and told the Master that if he would permit him, that he and his Boat-men would save the Ship, and get her off immediately. The Master then bid this Deponent hold his Tongue, and that he would be this Deponents Friend. The Deponent finding that the Master was then resolved to cast her away, came no more near him, but told every Body he met with, that he was so resolved; and saith that the Master did accordingly leave her most shamefully at a time when a Man could wade to her side, as there did five men, who having no Boat, waded to her side, and went on Board, presently after the Master and all the Men quitted her; And saith, that two Days before the Ship was so deserted by the Master and Men aforesaid, the Master caused the Men to open the Hatches, and take out several Goods, and made havock thereof to the Countrey People. And saith, that one Ned Dunegon did also profer to save the Ship the first day she came to Cappanacoffy, and the Master would not abide to hear of it; but Dunegon being incessant upon the matter, the Master got him well drubb'd, and turn'd ashore. And saith

saith, that the Mate of a Canary Ship was likewise on Board, when this Deponent discours'd the Master to have his Ship saved; and this Mate likewise told the Master that he the Mate would get her off presently; the Master told the Mate that he should meddle with what concern'd him. And this Deponent verily believes that the Master and some of the Passengers had a Design to carry away the money which was in the Ship, and to cast her away, that it might be pretended that the money and all was lost together; and saith that most of that Country believes the same. And saith if the master had not caused holes to be bor'd in the bread-room through the bottom of the ship, he could not well have cast her away in such a place where she lay without some artificial prejudice done first unto her. And saith that but very little of the sugar remain'd undamnified being in a manner all spoil'd by the water which came into the said Ship by means of the holes which were made through the bottom before the master deserted her.

Jurat coram me, Trices-

Tim. Turtans.

fimo Die Martii 1694.

Ri. Pyne.

Charles Mansfield of Killowen in the County of Kerry, Gent. came before me, and made Oath, That he went on Board the Ship *Laurel, Christopher Lyel* Commander, as she was in Distress on the 29th day of January last, in the River of *Kilmare*, and saith that she then rid only by a small Warp, and the ground whereon she lay was sandy and gravelly, and the Ship was in no great danger, for that the place where she lay was good ground, and the greatest winds made but very little Seas; And saith, that that day the Ship fledged, and this Deponent saith, that he told the Master that she fledged, and that he this Deponent with several English men, would bring her off forthwith; but the said

Mr. *Lyel* would not by any means consent thereunto. And further saith, That the Night following was a very fair Moon-shine Night, and this Deponent told the Master, that they would stay on Board with him, and get off his Ship, whereupon the Master turn'd this Deponent and the rest out of the Ship; and saith that next day, being the 30th of *January* aforesaid, about Noon, the Master called to all the People on Board, and bid them save what they could, and carry away in their Boats every man for himself; whereupon Nine Barrels of Indigo were put into two Boats, and the Master then desired this Deponent to save Two Barrels, to bear his Charges out of the Countrey, and all the rest for themselves; and presently the Master and all the People then on Board went off, and deserted the Ship; and saith, that as soon as they came ashore, the Master mett with Mr. *Richard Orpen* and told him he left the Ship in a bad condition and desired Mr. *Orpen* to get all the hands he could to go on board to Save her, and desired him the said *Orpen* again to make haste on board with all the hands he could; whereupon the said *Orpen* sent Several men on board the Ship, and next morning Mr. *Orpen* went himself on board. And saith, that when Mr. *Orpen* went on board, that several of the Rabble and Rapparees were Crouded into the Ship, and that Mr. *Orpen* commanded his own men to their arms, and expell'd the Rabble and Rapparees, and proceeded forthwith to discharge the Cargo, and this Deponent saith, that the Master when he deserted the Ship, declared that there was five foot of water in her, And that all the goods would be lost the next Tyde; And saith, that the master while this deponent was on board, did always renounce and deny all help whatever to Save the Ship, and often times wisht that she would Split. And saith, that when others would have Saved her, and often offer'd to Save her, that the master told them they should hold their Tongues and he would be their friend;

And

And further saith, that the Master did not return to the Ship again, until the third day after he had deserted her; and saith, that when the Master came then on board, that Mr. Orpen desired that he and his Ships Company would come and help save what they could, but the Master did not give any manner of Assistance, neither did he set any of his Men about the same; and saith, that the said Orpen told the Master, that there was much water in the Ship; they both lookt at the water in the Hold, and the water was then within a foot and half of the Beam; and saith, that the Master did thereupon order that a hole should be made to let out the water, which was accordingly done; and Mr. Orpen desired the Master again to stay on board, and take Account of things, and see the hole stopt again; but the Master neglected every thing; and this Deponent further saith, that when the Master and all the people deserted the Ship on the 30th of January last, that one Serjeant Fullertone then on board, told the Master, that he the said Serjeant had no mind to desert the Ship, and did often beg the Captain not to desert the Ship, and told him the Master, that while he would stay, he the said Fullertone would not go out of her; but the Master would not be perswaded to keep on board upon any perswasions whatsoever; and saith, That if the said Orpen had not been extraordinary Active in preserving the Ship and Goods, they had in all probability been destroy'd by the Rabble and Raparees; and saith, That the Master did often approve of the said Orpens diligence, and did frequently in this Deponents-hearing declare, that Mr. Orpen deserved to have a reasonable Salvage, and that he would write to his Owners for an Order from them, to give the said Orpen what two indifferent persons would award unto him the said Orpen.

Jurat Coram me,

29 Mar. 94

Ri. Pyne.

Charles Mansfeild.

And

And the same Deponent came this day before me and made Oath, That at the Tryal of the Indictment against Mr. *Orpen* on the 28th of *March* last, at the Commission of Oyer and Terminer; he this Deponent Swore in Court to the same effect of the foregoing Affidavit Sworn before my Lord Chief Justice *Pyne*, on the 29th *March* aforesaid.

Jurat coram me, 30

Cha. Mansfield.

Die April 1694.

J. Blenerhasset.

B *Ryen Kelly* of *Gurtamullen*, in the County of *Kerry*, Gent. came before me this day and made Oath, That on the 28th of *January* last, the Ship *Laurel* of *London*, *Christopher Lyell* Master, drove up the River of *Killmare* close along before the Black-Water, which being a very good Harbour, the Master, some Passengers and the Ships Company came ashore there in their Long-Boat, and brought great quantities of Gold and Silver with them in Bags, and as soon they came ashore they sunk the Boat; and this Deponent verily believes, that some contrivance was used in the Rudder to cause the Ship to stand up the River, otherwise, that she had in all likelihood put into that Harbour right afore the Wind, which was then at S. W. and the said Harbour lying N. E. out of the River, and saith, that the Ship drove up about two Miles from *Black-Water* to *Cappanacossy*, upon a fine easie Strand about seven a Clock in the Morning; and in the mean time the Master, Passengers and Ships Company walkt up by land to *Dermot Mac Owens* House at *Cappanacossy* almost as soon as the Ship, where they beheld the Ship driving to and fro with the Flood and Ebb from Morning till Night, without any Soul on Board her, save that some of the Seamen and one *John Kelly* went on board her, to fetch

fetch out some good Liquor, as also the Masters best Cloaths and Sword, wherewith they return'd on shore again, without dropping an Anchor, or taking any other care of the Ship; and with the Master and altogether made themselves merry ashore with Rum and Sugar all that day, while the Ship continued driving to and fro before their Faces, and saith, That the Master, Passengers and Ships Company were often desired to go on board their Ship and take care of her; but still they reply'd, *God Dam her for a Bitch, they would never put foot into her while they breathed*; with many other Expressions to the same effect; and saith, that the Master, Passengers and Company did divide this great store of Gold and Silver among themselves, to every one a proportion or share thereof, and particularly the Mate of the Ship drew out a small Handkerchief full of Gold Rings, and distributed the same likewise among them; and saith, That the Master Ordered his own share of the Treasure to be put into a Window near himself; saying to the rest of the passengers and company that each had his share given to him, and let every one look to his share; as for himself the master, he would not take care of any more than his own share which lay there near him in the Window, And saith that had not Mr. Palmer come in the evening and put them into Some apprehensions of the Toryes, he verily believes, that they would never have Returned to the Ship again; But after Mr. Palmer had alarmed them and told them their Ship was the best Garison in the country, and put them in fear Of the Toryes, they repaired on board again about the fall of the night with all their money and Gold; And afterwards were more cautious and carefull thereof; but saith, That that Night was a very fine calm Night, and that several skilful persons, particularly the Mate of a Canary Man told the Master, that he would bring the *Laurel* away forthwith into a safe Harbour without any manner of difficulty

difficulty ; but the Master bid him meddle with what concerned him ; and in the like manner he the Master did slight divers other Mariners when they offer'd to save his Ship ; and saith, That he this Deponent heard the Master and most of the Ships Company often say, that she ow'd them much Wages, and Swore that she should never owe them any more ; that they had divided the money among them, and would be gone, some to Cork, Kinsale, and other places, to be ready to leave the Kingdom by the first opportunity ; and saith, that when the Master and Company were got on board, that none of them took care to drop an Anchor to stop the Ship from driving up and down, until one *Timothy Tartane* dropt a small Anchor that had a small warp to it ; and saith, that she rid by no other than that small warp all the time after ; and saith, that the Passengers and most of the Company went up next day in the morning by Boar, and carry'd some Chests along with them to Mr. *Palmer's* House, about 3 miles up the River, wherein 'twas believed, that their best Cloaths were ; and saith, that the Master, Passengers and Seamen were about fifteen in number, and that the Passengers, Mate and most of the Seamen seemed rather to have a mind to stay about Mr. *Palmer's* House to look to the Chests, than any-wise to be concerned any more for the Ship and Cargo ; but saith, that towards the evening six of the Seamen went to *Roghty Bridge*, about two miles from Mr. *Palmer's* and carried their share of the money thither, and their best Cloaths, and that Night being the 29th of January Mr. *Palmer's* House was set on Fire and Robb'd by the Tories, and this Deponent desired the mate and men to go to their Ship again ; but the mate told this Deponent, that the Master, Seamen, Passengers and all were resolved to destroy the ship and Cargo, and that there was no concealing thereof any longer ; and next morning several of the Seamen went on board again,

and

and gave the master an Account of the Fire and Robbery; whereupon the master and every one on board quitted the Ship, and came ashore at *Killowen* in three Boats, wherein they brought several Barrels of Indigo, and other things belonging to the Ship, where they were met with by *Mr. Richard Orpen*, this Deponent, and several others; as soon as the master stepped ashore, he told *Mr. Orpen* that all the Goods would be lost that Tyde, and that the Ship would inevitably split in pieces out of hand; and desired the said *Orpen* to go with what hands he could make, and save what they could; whereupon *Mr. Orpen* did immediately employ some Souldiers, and several of the Country People to repair forthwith to the Ship to save what they could; and saith, that *Mr. Orpen* employ'd this Deponent also to go along with the rest, but call'd him back again, and bid him go to the Master first, who was gone to an Ale House hard by, and get from the Master a Note under his hand, of what was fit to be given for Salvage, which this Deponent accordingly did, and got *Richard Clerk*, *Samuel Aldwell*, *Charles Garthy*, *Dermot Sullivan* and *Dermot Sullivan Junior*, whom he this Deponent knew to be the Friends and People belonging to *Mr. Orpen*, to be Named along with him this Deponent in the said Note; wherein the Master promised one half for saving the other; and saith, that he this Deponent did procure the said Note upon no other Account, thap to the true use and behoof of the said *Orpen*; and saith, that he left *Mr. Orpen* behind, to provide men and boats; and that he this Deponent repaired away towards the Ship that Night, being as soon as he had got the Note Signed by the Master; and when he came there, he found that the rest of the people employ'd by *Mr. Orpen* were got on board, and loosed the Fore-top-sail, and had placed a man at the Helm, whereby they brought the Ship safe into a convenient Creek, though she had

beaten somewhat by means of the Masters leaving her loose in a very ill condition, without riding her by any Cable, Warp, or any thing else whatever. After she was brought safe to the Creek, this Deponent went on board and shew'd the Note which he had got from the Master, and told all the people that were on Board, that the business of the Ship and Goods were wholly put into Mr. *Orpens* Hands by the Master, and told them that Mr. *Orpen* had desired them to be careful of every thing, and that himself the said *Orpen* would come immediately with men and boats; and saith, that the said *Orpen* came accordingly in the Morning betimes with men and boats, and fitted up Teachles and and Cannhooks, and fell to work to save the Goods; and saith, that *Charles Carthy*, *Dermot Sullivan* Jun. and *Samuel Adwell* came also on board about the time as Mr. *Orpen* came on board; and saith that Mr. *Orpen* did not force, or expel them from the Ship, but commanded some of his own men to their Arms, and thereby 'expell'd the Rabble which by that time had crowded in abundance into the Ship, and he the said *Orpen* did forthwith employ the said *Aldwell*, *Carohy*, *Sullivan*, and this Deponent, to oversee and help put the Goods safe ashore into the most convenient Houses, where the same might be best preserved; and saith, *O Sullivan More*, and *Dermot Sullivan*, Senior, were never on board the Ship at all, and that *Richard Clerk* was not on board her, until ten days after she was Stranded; and saith, that when this Deponent came first on board, that she had water in her hold, within a foot and half of the Beams of her lower Deck; so that every Cask of Sugar in all, or in part was Dam-nified; and saith, that the Master came not nigh the Ship, until the third day after she was Stranded; and saith, that the Master, Passengers, and Ships Company never mentioned any thing of their boring the Holes in the Ship, but kept the same private, until that about

ten days after she was Stranded, 'twas spoken of all over the Country, which was discovered by the Mate, after he was gone out of the Country, and then (and not till then) the Master own'd it, and pretended 'twas to prevent the Ships beating.

Jurat coram me, un Jussiciar.
Com. Kery 28 Die April
1694.

Bryen Kelly.

J. Blenerhassett.

And the Deponent further saith, That in Court at the Tryal of Mr. Orpen on the 28th of March last, at Tralec; that he the Deponent Swore to every thing before mentioned, except what is said about the money, and had declared, that also if he had not been interrupted by the High Sheriff; and thereupon the Deponent was put by and heard no further; this Deponent saith, That the master and the High Sheriff of Kerry did often offer this Deponent three and twenty Guineas, and two hundred weight of Sugar, if he this Deponent would but get the Note back from Mr. Orpen, which the master had given for Salvage.

Jurat coram me, 28
Die April 1694.

Bryen Kelly.

J. Blenerhassett.

John Kelly of Grenvne, in the County of Kerry, Gent. came before me this day and made Oath, That on the 28th of Jannary last, about 7 a Clock in the morning the Ship *Laurell* of Loodon, *Christopher Lyell* Master, drove up to *Cappanacossy* in the River of *Killmare*, without any person on Board her upon very good easie ground; and saith, that presently afterwards, the master came up to the House of *Dermot Mac Owen* of *Cappanacossy*; and saith, that

the Master and Company brought several bags of money with them to that House; and this Deponent discours'd with the master, and found that the Ship came from *Jamaica*, and that the master and company had quitted the said Ship at *Black-Water*, about two miles Westward of *Cappanacossy*, and admired that they did not bring the Ship into *Black-Water*, being right before the Wind, which was then at S. W. or thereabouts, and being a very good Harbour; and saith, that the master sent for Rum and Sugar in abundance from on board the Ship; and therewith he the Master and Company, with some of the Country People, made merry till towards Evening; and saith, that the Master, *Mr. Myers*, and *Peter Row* (two Passengers) enquired very earnestly for Horses and Conveniencies to carry themselves and their money out of the Country, to *Cork* or *Kinsale*; whereupon this Deponent and others advised the master rather to betake themselves on board with what money they had; whereto the Master Reply'd, *That she was good for nothing, and a Wrack, and let the Devil take her, as for himself he would never lay his Leg over her side again while he breathed*, and this Deponent saith, that the said *Dermot Mas Owen*, this Deponent and others, told the Master again and again, that she could be no Wrack in that condition; for that by her floating up and down with the Tide and Ebb, it appeared, that she was Tight, and in regard that the worst of Winds made no Seas in that place, she was not in danger; and they still desired him the said Master to betake himself and Company to their Ship again; but the more the Master was advised to go and save his Ship, the more he abhorr'd her and renounced her, and continued saying, that if he could but get Conveniencies to carry himself, Company and Passengers, and their money out of the Country, he did not care if the Devil had the Ship and all that belonged

belonged to her ; but at length by the perswasions of this Deponent and others, the Master writ a Letter to one Mr. *Thomas Palmer* a Justice of the Peace in that Country, wherein he seemed to pretend that his Ship was in distress, and craved Aid, and mentioned in his Letter, that he had not a Sail left ; and this Deponent saith, that next day he this Deponent was on board, and saw in the Gun Room 4 or 5 large Sails, which this Deponent believes were New Sails ; and this Deponent saith, that in the Evening, Mr. *Palmer* came to the Master at *Cappanacossy* on the 28th aforesaid ; and saith, that Mr. *Palmer* discours'd the Master, and finding that he had great quantities of Gold and Silver at *Dermot mac Owen's* House, Mr. *Palmer* then told the Master that he was in danger of losing his Money, for that the Tories were said to be hard by. Upon which apprehensions of the Tories, the Master with his Company and Passengers, went on board again that Night, about an hour after Sun set. But this Deponent verily believes that if the Master had not been afraid of the Tories, that neither the Master, nor any of the Company or Passengers, had ever returned again to the Ship, for that the Master, Passengers, and Ships Company had divided the Money and Gold amongst themselves, to every one a share, before the Letter was sent to Mr. *Palmer*, and remembers that the Master bid his Boy to carry his, *viz.* the Master's share of the Money, and lay it by in the Window ; and added in these words, *That every one had his share of the money divided and given to him, and let every man secure his own share ;* And saith, that the mate and men declared that the Ship owed them a years Wages, and swore that she should never owe them any more ; that they had divided what Money was in the Ship among them selves, that they would be gone, some to *Cork*, some to *Kinsale*, &c. And this Deponent further saith, That while the Master, and the company, and passengers aforesaid, were

were at *Dermot Mac Owen's* house; that they made themselves ready to go away out of the Country with their Mony, having put on severall Shirts a piece, and drest themselves up with their best cloaths; And saith, that the Master had also drest himself to be gone; And saith, that he this Deponent was the person that brought the Master his best cloaths, and a fine Sword, out of the Ship by the Masters orders; And saith, that when the division of the Mony and Gold was made, that the Mate drew out a handkerchief that had about fourscore Gold Rings in it and divided the same likewise, among them, and saith that all the said persons belonging to the said Ship, left a great parcell of their worse cloaths upon the Green, and threw the same away near where the Ship was driving to and fro as aforesaid; And saith, that one *Timothy Turtane*, and several others, told the Master before and after the Master went on Board, on the 28th at night, that they would save the Ship, and carry her into a safe Harbour forthwith. But the Master still refused, and would not consent to have her brought out of that place; And saith that the Ship was driving to and fro, and after the Master and the rest of the persons belonging to her, were all on Board again, no body took any care to drop an Anchor; And saith that *Timothy Turtane* desired the Master to drop an Anchor; the Master answered, that he had no Cable in order; *Turtane* told him he would drop a small Anchor which was on board, that had a small Warp to it; the Master told him he might let it alone; but at length the Master consented that it should be dropt; And saith, that she rid by no other than that small Warp, until she was deserted by the Master, which was the third day after she arrived at *Cappazacoffy*; And saith, that before the Master deserted the Ship, he often said that she was not worth looking after, and that all her Cargo, except the Indigo, was all dammified and ruined before she came into the River of *Killmore*. And this Deponent further saith

saith, that on the 30th of *January* last, the *Master* and all the company deserted the Ship; And saith that as soon as he came a shore, he the said *Master* met with *Mr. Richard Orpen*, and told him that the Ship was left in an ill condition, and that the Goods were all lost by that time, and that the Ship would split presently; and desired *Mr. Orpen* to send all the hands he could aboard, to save what he could, and desired the said *Orpen* to go and take care of the same; whereupon the said *Orpen* sent several persons on Board, who took care of the Ship, and brought her safe to a Creek; and saith, that *Richard Clerk*, *Samuel Aldwel*, *Bryan Kelly*, *Charles Carthy*, *Dermot Sullivan*, and *Dermot Sullivan Junior*, came not nigh the said Ship, until after the other people employ'd by *Mr. Orpen*, had brought her safe to the Creek,

John Kelly.

Jurat coram me, April

7 die, 1694.

Fran. Burton.

W Hereas it hath been alledged that *Coll. Daniell O Sullivan More* of *Dunkeron* in the County of *Kerry*, (being the chief of the *Irish Gentry* in those parts) was lately employd or desired by *Christopher Lyell Master* of the Ship *Laurell* of *London* to go on board the said Ship as she was in distress at *Cappanacossy* after the *Master* had deserted her on the 30th day of *January* last, And that the said *O Sullivan More* was turned out of her by *Mr. Richard Orpen*.

Now for the manifestation of truth, the said *O Sullivan More* came before me this day and made Oath, That the said *Master*, or any other person whatever, did never employ or desire him the said *O Sullivan More*, to be concerned in or about the said Ship or goods at any time whatever; And saith that he the said *O Sullivan More* never went nigh the said Ship upon any attempt
at

at all ; And that there is no other O Sullivan More but himself in this Kingdom, neither can there be any other while he this Deponent is alive; and that there hath been no other O Sullivan More in the Kingdom for many years past but only he this Deponent.

Dan. O Sullivan.

Jurat coram me, 28

die April 1694.

J. Blennerhasset.

Captain Charles Carthy of Nedeem in Glannerrought in the County of Kerry, the chief of the Irish Gentry of that name, upon the River of Killmare, came before me this day, and made Oath, That had not Mr. Richard Orpen gone on board the Ship Laurell of London when she was stranded near Cappanacofsy, And taken upon him the management and defence of the said Ship, he verily believes that she and the Cargo had been destroyed and torn in peices by the Rabble and Rapparees, and severall of them wounded by him, who were crouded in and about her in great numbers, and were expell'd and disperst by the said Orpen. And saith, that the said Mr. Orpen did not expell nor turn him this Deponent ashore out of the said Ship, but employd him this Deponent to help save the Goods; and saith, that this deponent was never spoke unto or employ'd by any person belonging to the Ship, to go on board her, neither was he this Deponent ever concerned therein, upon the account of any of them; And saith, that he was named in the Note which the Master gave, wherein he promises one half for Salvage. And this Deponent saith, That he was named therein upon no other account, than as a Friend of the said Mr. Orpen, and employed by him. And this Deponent saith, that he this Deponent did not go on board the said ship after the Master had forsook her on the 30th of January until the 31th in the morning, which was after she was brought safe to the Creek by some other

other People employ'd by Mr. Orpen the day before ; And saith, that none of the said Persons named in the said Note for Salvage, went on board her, until she was brought safe as aforesaid into the Creek.

Jurat coram me un Justiciar. Comit. Kerry,
2 die May, 1694.

Charles Mac Carthy.

J. Blennerhasset.

Robert Payne of Killowen in the County of Kerry, Yeoman, came before me this day, and made Oath, That he was on board the Ship *Laurel*, along with several of the English of *Glannerrought*, when she lay at *Cappanacossy* on the 30th of *Jannary* last, and saith, that about 12 a Clock that day, the Master, after he heard that Mr. *Palmer's* House was Burnt and Robb'd, began to curse and rail at the Ship, and often wish'd her in a thousand pieces, and call'd all the People that were on board, and bid them save what they could for themselves ; and after he had given them Nine Barrels of Indigo, he desired them to help him out with two Barrels more for himself to bear his Charges out of the Country saying that all would be Lost forthwith, And saith that he told the Master that one of his men had split the warp which the ship rid by, who took no manner of notice of it. But the Deponent ball'd out to him again and told him that the ship would drive as soon as the Tyde would rise, whereupon the Master fell to cursing and damning at the Deponent, and bid him get out of the Ship ; and then the Master and all the People on board quitted the Ship, without riding her by any manner of Warp, Cable, or any thing else whatever : And saith, that as the Tyde arose, the Ship did accordingly drive along the ground.

Jurat coram me uno Justiciar.

Com. Kerry, 28 April, 1694.

J. Blennerhasset.

Robert Payne.

L Charles

Charles Mansfield of Glannerought in the County of Kerry, Gent. came before me this Day, and made Oath, That when he first went on board the Ship *Laurel* of London, being upon the 28th of January last, he found some of the Ship-Yards hack'd and cut in several places about the middle, as the same hung at the Masts squar'd, and verily believes 'twas done at Sea with an intention that the same might break to pieces when the Sails should fill, and thereby to make a shew of distress at Sea; And saith, that when he was aboard, he saw a whole Suit of very good Sails in the said Ship, viz. a Fore-sail, Fore top-sail, Main-sail, Main-top-sail, and Mizen-sail; and saith, that while Mr. Orpen kept the Keys where the Ship-Goods were at Killowen, there was no Waste nor Imbezlement thereof; But after that the Master and the High-Sheriff had taken the same into their care, there were several Imbezlements, and the Stores frequently Robb'd; and saith, That several great quantities of Indigo and other Goods, were plunder'd and carry'd away out of the Ship *Laurel* by the Men belonging to her, and that they broke the Hatches in pieces, and forced into her Hold; which they did by the order of Jacob Myers the Jew, who bid them publickly go take what they could of the Ships Goods for themselves; and this Depo-
nent saith, that he was in discourse with two of the Seamen about their Sailing, who averr'd to this Depo-
nent, that they were four Leagues to the Westward of the *Bull, Cow* and *Calf*; and the Wind at West, when they first made the *Bull, Cow* and *Calf*; and all the Ships Company took them to be the *Skellax*; and tho' they designed for *Kinsale*, yet the Master caused to shape a Course for *Kilmare*.

Jurat coram me uno Justiciar.

Comit, Kerry, 28 die April,

1694.

Charles Mansfield.

J. Blenerhasset.

Cornelius

Cornelius Sullivan of Killowen in the County of Kerry Shipwright, came before me this day, and made Oath. That he was one of the men that were employ'd by Mr. Thomas Palmer to go in the Boats to bring off the Ship *Laurel* from *Cappanacoffy* on the 23th of *January* last in the Evening; and saith, that there went two very stout Boats well mann'd that Evening, and several lesser Boats also well mann'd; and when they told the Master that they would bring off his Ship, he rejected them, and bid them be gone out of his Ship; they told him that his Ship floated, and that the Night was very still and calm, and had hands enough to tow her from thence, and that they came on purpose to bring her away; The Master fell into a great rage, and bid them be gone, or he would fire at them; whereupon they all went ashore with their Boats; admiring at the Masters diskindness to them, for their kind offers: And saith, that he was aboard the said Ship, when the Master and all the People deserted her on the 30th of *January* last at *Cappanacoffy*; and saith, that when the Master had intelligence that Mr. Palmer's House was burnt and robb'd, and all the Money lost which was carry'd thither out of the Ship, the Master fell to cursing and damning, and rail'd at his own self for suffering it to be put ashore before the Ship was in danger, and that *there could no better come of bad Designs*, and cursed the Ship, and swore he had no Business to carry her for *London*, and that she should never leave that place, and *that such doings could thrive no better*; and commanded one of his men to let slip the Warp that she rid by, which was accordingly done, and left her to ride by nothing; and the Master bid every man aboard to save what they could for themselves, for all would be lost before next Tyde, and to save two Casks of Indigo for himself; and commanded every one to be gone forth out of the Ship; whereupon the Master and every body left her; and this Deponent told the Master, that surely the Ship would drive and bear, having nothing to ride by; whereunto the Master ask'd

this Deponent, What was it to him this Deponent what became of her, and bid him hold his Tongue; and saith that the Master never caused the Fore-rop Mast to be struck, during the whole time of the Ships lying at *Cappanacoffy*, and saith, that the Master; Passengers, and Seamen took no manner of Care of her, but believes in his Conscience that they had one and all a full resolution to cast her away; And this Deponent further saith, that when the Master was going out of the Ship, one Serjeant *Fullerton* told the Master, that he the Master was a damn'd Rogue for leaving her, and begg'd him to stay and look to the Ship, but the Master would not be advised to stay; though if a Cable had been out, she could not be in any manner of Danger, and the Serjeant bid the Master again to stay, and that if he would stay, he the Serjeant would stay with him; but the Master fell a Cursing of her more and more, and said, let her split and drive to the Devil; and saith, that that day in the Afternoon, the Master came ashore at *Killowen*, and desired Mr. *Richard Orpen* to employ people to go on board to save what they could; whereupon Mr. *Orpen* employ'd several people immediately and sent them on board; and saith, that when they went aboard, they found her wallowing to and fro as the water arose, and drove upon the ground for want of Warp or Cable out; and saith, that they brought her safe to a Creek that Night, though she had much water in her hold; and saith, that the Master came not aboard till the 3d day after he had deserted her, and seeing much water in the hold, he the Master order'd a hole to be cut in her, to let out the water, which was accordingly done; and saith, that the Master Order'd 6 or 7 Hogsheads at a time of damnified Sugar to be hoisted over board to the Country people; saying, 'twas better they should have it, than that it should be lost; and Mr. *Orpen* desired the Master to stay on board, and bring his men to work to save the goods; but the Master slighted every thing, only that

that he took some sugar in Bags and carried the same to his quarters; and saith, that the Seamen of the said Ship came on board among the Rabble, and were the first that broke open the Hatches, and took up a Punction of Indigo and several other Goods, and made havock thereof to the Country people, before Mr. Orpen went on board, and this Deponent saw the Seamen receive money for the same.

Jurat coram me, uno Justiciar.

Cor. Sullivan.

Comitat. Kerry, 28 Die

April, 1694.

J. Blennerhasset.

COrnelius Turtane of Foromore, in the County of Kerry, Mariner, came before us this day, and made Oath, That on the 28th of January last, he saw the Ship Laurel driving before Black-Water, with her main-sail and foresail loose, and lower'd a Hull beating and fluttering upon the Gunnells and Anchor Floeks, being about seven a clock in the morning and low water, when she drove up to Cappanacossly upon fine easie ground, and as the Tyde rose, she drove on farther and farther upon the shoal; and saith, that the master, passengers and seamen, stood and beheld her; and saith, that the wind ceased, and as the Tyde fell, she drove back again, and this Deponent went on board along with part of the ships crew, which return'd ashore again, with a Barrel of Rum for the master to make merry withal, and none of them took care to drop an Anchor; and this Deponent saith, that he the Deponent saw then a very good Anchor stock on board, and that the same was the stock for the sheet Anchor; and he this Deponent asks the seamen why they did not put the stock to the Anchor, they answer'd, Let her be Damn'd for a Leaky Bitch, as for their parts they were resolved never to trouble themselves more about her; whereupon the Deponent sounded the Pump, and

and found but fourteen Inches of Water in her, and that it stunk grievously; and saith, that towards Night, the master and all the people belonging to her went on board again by the perswasion of Mr. Thomas Palmer, and carried several bags of money with them; but none took care to drop an Anchor, until one Timothy Turtane, a seaman of the Country got leave to drop the Kedge Anchor that had a warp to it; and saith, that he this Depo-
nent is very well acquainted with the Western coasts of Ireland; and that on the 30th of January, the Ship lay in three foot water at low water, the day whereen the master left her; and that it fims twelve foot at the same place at an ~~un~~ ordinary Spring Tyde; and saith, that neither of the top-masts were struck, when she drove to Cappanacossy, but the fore top-yard had the Sail bent to it, and that the fore-top-sail-yard was newly hacket and cut about the middle; and that the main top-sail-yard was likewise served so, and broken off in the middle, and hung fluttering against the mast before she drove to Cappanacossy; and further saith not, &c.

Jurat coram me uno Justiciar.

Cor. Turtane.

Comitar. Kerry 23 Die

April, 1694.

J. Blennerhasser.

Timothy Murphey of Gurtagasse in the Country of Kerry, Gent. came before me this day, and made Oath, That on the 30th of January last, Christopher Lyell, with all the people on board the Ship Laurell of London, deserted her at Cappanacossy, and left her as a Wreck; and when the said Mr. Lyell came ashore, being a little after twelve a Clock, he desired Mr. Orpen to employ people to save what they could; whereupon Mr. Orpen employ'd this Depo-
nent and several others, who went on board that evening and found no body in the Ship; and saith, that the Winds blew hard at S. W. and that the Ship beat with her broadside ha-
ving

ving much Water in her hold; that this Deponent did loose the fore-top sail, and placed a Man at the Helm; and with Labour and Pains he and the rest employ'd by Mr. Orpen brought her safe to a convenient Creek; and saith, that he left Mr. Orpen providing of Men and Boats, who came next morning betimes with men and boats to save the goods; and saith that Bryen Kelly, Samuel Aldwell, Charles Carthy, and Dermot Sullivan, Junior, came not to the said Ship until after she was brought safe to the Creek; and saith, that Dermot Sullivan, Senior, and O Sullivan More came not nigh her at all; and that Richard Clark came not to the Ship, until ten days after Mr. Lyell had deserted her; and the Deponent further deposeth, that the Rabble of the Country came down, and fell upon her with their Hatchets and Tools to tear her in pieces, and had not Mr. Orpen beaten them off, they had undoubtedly destroy'd her and her Cargo; and saith, that no body did dare resist them, until Mr. Orpen came and did rout them all from the place; and saith, that some of the Seamen belonging to the said Ship came on board the said Ship, and while this Deponent and the rest employ'd by Mr. Orpen were busie about securing the Ship, they the Seamen did forcibly break open the Hatches, and took up a Punchion of Indigo, and broke it open, and made havock of the same, and of the best of the Goods in the Ship, and distributed them to the people of the Country; and the Deponent saith, that he Deposed in Court, at the Tryal of the Indictment against Mr. Orpen, on the 28th of March last, to the same Effect as he now deposes here.

*Jurat coram me, un. Justiciar,
Comitat. Kerry, 28 Die
April. 1694.*

J. Blenerhasset.

Tim. Murphy.

Joseph

Joseph Taylor of Killowen, in the County of Kerry, Gent. came before me this day, and made Oath, That he was on board the Ship *Laurell* of London, *Christopher Lyell* Master, on the 29th of January last, when Mr. *Richard Orpen* came on board her; and saith, that Mr. *Orpen* was very ready to assist the Master in every respect, to get his Ship out of *Zappanacoffy*; and first Examined the Pump, and finding that the water was filthy and stunk, told the Master that his Ship was yet very Tyght and well enough; and that he the said *Orpen* would bring her off forthwith; but the Master did not in the least incline thereto; Mr. *Orpen* told him, that his heavy Goods, as his Guns should be immediately put ashore, for that their weight aloft would make her swaddle, and would do her more injury than ten times so much below; but the Master Answer'd, *That he could not part with the Guns, but must keep them for fear of the French Privateers*; but Mr. *Orpen* told him, that they could not Attack him but in their Long-Boats, and that 'twere better to have small-Arm Men, wherewith Mr. *Orpen* told him he could furnish him; and that a small Battery on shore within Pistol shot of the Ship, would do much beyond what he could expect from the Guns, if he kept them aboard, and discourse to this Effect; but the Master did not like the Discourse, but Answer'd at length, that he would keep the Guns for a shew; and saith, that all her Guns except two lay in disorder, not fit for service, heads and points along ships, and remained so still; and saith, that Mr. *Orpen* discours'd him about his Anchors, and askt him how he rid; he Answer'd by a small Kedge Anchor, that had a small warp at it, and said he had lost his best bower, and that his Sheet Anchor wanted a stock, Mr. *Orpen* told him, that there was very good season'd Timber within Pistol shot of the Ship, and desired him to send his Carpenter thither, and told him, that he would send some of the Country Carpenters to help him, and that he should have a stock in an hours time, but the

the master slighted it ; and this Deponent saith, that the master pretended that he had not a Sail left, and were forced by distress into this River ; but this Deponent saith, that he saw a very good main-sail to the yard, and saw a great parcel of Sails in the Gun Room, which he believes were new Sails, but there being none of the men belonging to the Ship on board all that day, only the Master, Carpenter and Gunner: Nothing was done towards the getting the Ship away from that place, tho' she floated, and the Weather temperate ; and this Deponent saith, that while Mr. Orpen was aboard, there was a man of the Country brought before him for some misdemeanor against the master, whom Mr. Orpen ordered to be eyed Neck and Hoels, but the man slipping over the side into a Boat, Mr. Orpen order'd to have him followed forthwith and brought into the Ship, and there caused him to be tied by both hands to the Gang-way, and with a Ropes end to be beaten with many Stripes, for Example, that no others might dare presume to Transgress ; and this Deponent further saith, that the Night following being a Calm Glorious Night, several of the English came with their Boats to the Ship, and told the Master, that they would bring her off, for she floated that Tyde ; but the Master instead of accepting of their kind offer, turned them all out of his Ship, and next day after, he heard that the money was lost, he forsook her most shamefully, and said all would be lost that Tyde, and bid every body take what they could for themselves ; and desired them to save two Casks of Indigo for him to bear his Charges out of the Country ; and this Deponent saith, that the Master and all the people that were on board, came up in three Boats to Killowen, with the Nine Barrels of Indigo and other things which the Master had given those People, and the Two Barrels of Indigo for the Master, to bear his Charges out of the Countrey ; all which were put up in this Deponenrs House, for the use of the Master and People aforesaid ; And saith, that

about three days after the said Goods were brought to this Deponents House, that *James Charters*, *John Charters*, and several others of the Souldiers belonging to Captain *Gregory*, were very abusive to this Deponent and his Family, and put Quarrels upon him, and struck him several Blows, and with their Naked Swords fell upon him, inso-much that he was forced to make his Escape through a Window to save his Life; having no manner of Weapon about him, wherewith to defend himself; and they then kill'd a Mastiff Dog of the Deponents, which was then in the House; and saith, that about four or five days afterwards, this Deponents House was robb'd, while those that killed the Dog were guarding the same; and two Barrels of the Indigo were carried away by the Robbers. And this Deponent saith, that the Master came not uigh the said Ship again, until the third day after he had deserted her; and that *Jacob Myers* or *Peter Row*, came not at all unto the said Ship, after she was deserted by the Master on the 30th of *January* aforesaid. And further saith not, &c.

Jurat coram me, uno Justiciar.

Jos. Taylor.

Comitat. Kerry, 28 Die

April, 1694.

J. Blennerhassett.

S *Amuel Aldwell* of *Killowen* in the County of *Kerry*, Gent. came before me this day, and made Oath, That had not *Mr. Richard Orpen* gone on board the Ship *Laurel* of *London*, when she was stranded near *Cappanacossy*, and taken upon him the Management and Defence of the said Ship, he verily believes that the said Ship and Cargo had been destroyed and torn in pieces by the Country people; and saith, that the said *Richard Orpen* did not expel or force him this Deponent out of the said Ship, but employed him to help to save the Goods; and saith, that he this Deponent did not insist upon being employ'd by *Mr. Lyell* the Master of the Ship; neither did he to the best

best of his remembrance, all the while the Goods of the said Ship were unlading, say to the said Mr. Orpen, that the Master had ever desired him this Deponent to go on board to save any thing on the Account or Order of the said Master; and saith, that after the Master had deserted the said Ship on the 30th of January last, he this Deponent did not go on board her until the 31th in the morning after she was brought safe to the Creek; and further saith not, &c.

Jurat coram me un. Justiciar. Comit. Kerry,
28 die April, 1694.
J. Blenrasset.

Sa. Aldw:ll.

Comit. } The Deposition of Daniel Crag and
Kerry. } Hugh Wilson, Soldiers in Captain
Cunningham's Company, in Col.
Michelburn's Regiment.

THe Deponents being duly sworn, say upon Oath, That on the 30th day of January last, Captain Lyell, Commander of the Ship *Laurel* of London, deserted the said Ship, and so did likewise the whole Ships Company, and left her as a Wreck in the River of *Kilmare*; and that immediately after she was so deserted, these Deponents went on board her, along with several others, employ'd by Mr. Richard Orpen, to save the said Ship and Cargo; and saith, that when these Deponents and the rest went on board, they found no living creature in the said Ship; and saith, that the said Ship was bearing and driving upon the ground, for want of having some of the Fore-sails loosed, whereupon some of the persons employ'd on board, did loose the Fore-top-sail, and brought her Head about directly before the Wind, and so they

brought her safe to the shore into a convenient Creek, save that she took in abundance of Water by her bulging as aforesaid; and further saith, that one *Bryen Kelly* came on board to these Deponents, and the rest employ'd to save the said Ship, and brought them a Paper from *Mr. Richard Orpen*, wherein the said *Orpen* desired them to be very careful of the Ship, and all things on board her, and that he the said *Orpen* would be with them on board immediately; and saith, that the said *Orpen* came forthwith on board, and commanded that no body should come on board, but such as the said *Orpen* had employed, to work upon the Ship to save her and the Goods; and saith, that the said *Orpen* procured Boats, and fitted up Teakles and Cannhooks with all speed, and proceeded to discharge the Cargo with expedition; and saith, that the said *Orpen* was very Active in saving every thing belonging to the Ship, and put a careful Man in every Boat to see the Goods safely put into such Houses as the said *Orpen* had appointed to secure the same; and saith, that he the said *Orpen* provided Provisions for these Deponents, and the rest employed on board; and saith, that as soon as the said Ship came to the shore, great multitudes of the Rabble and Rapparees came down upon her, and forcibly entred on board her, and saith, that the said *Orpen* and his Company got themselves to their Arms, and fired upon the said Rabble and Rapparees, and expell'd them out of the Ship, and forced them to fly from the shore; and saith, that the said *Orpen* and his Company were often constrain'd to betake themselves to their Arms to keep off the said Rabble and Rapparees; and saith, that they were great part of an whole Night firing against them; and saith, that they have received four Cobbs from the said *Orpen* in full payment for the hire of these two Deponents upon this Service; and further saith, that if *Mr. Orpen* had not been extraordinary violent against the said Rabble and Rapparees, they would in all probability destroy the whole Ship and Cargo; and further

further say, that neither the Master nor Men came to give any assistance while the Ship was thus in distress, but say, that some of the Seamen took away several quantities of Indigo and other Goods.

Juræ c ram me, 22 Die

Martii, 1693.

J. Blenerhassett.

Don. Crage.

Hugh Wilson.

William Sanford of Killowen in the County of Kerry, Gent. came before me this day and made Oath, That on the 29th of January last, he th's Deponent having judgment in Shipping, was employed by the Reverend Mr. Thomas Palmer, to go on board the *Laurell*, to lighten and bring her away from *Cappanacoffy* to a safe Harbour; and this Deponent with several boats well mann'd, being a calm Moon-shine Night, with the rest of the people belonging to the boats, went on board; and saith, that as soon as the Master understood that they came to bring off his Ship, he the Master immediately turn'd them all ashore in great Wrath, and would not upon any Account permit them to stay to bring off his Ship; and next Morning this Deponent came on board again with several English Men, the Wind then at South East; and the Deponent told the Master, that they would bring off his Ship; but the Master would not be perswaded to consent to it, but often wisht that she would split in a thousand pieces; and saith, that by and by there came one to the Ship with News, that Mr. *Palmer's* House was Burnt and Robb'd; and then the Master seemed less careful of the Ship than before; and saith, that about 12 a Clock that day, being the 30th of Jan. aforesaid, the Master bid every body to save what they could for themselves; and saith, that after he had delivered to the said people on board 9 Barrels of Indigo, he the Master desired them to help out two Casks of Indigo for himself, to bear his Charges out of the Country, and bid them

them take all the rest of what they could save to themselves. The two Barrels of Indigo being hoisted over the side into the Boat, the Master commanded every one to be gone out of the Ship; saying, that all would be lost that Tyde, and the Ship would split forthwith; whereupon every body left the Ship and came ashore at *Killowen*; and saith, that afterwards this Deponent and the rest of the people belonging to the said boats, were contented with some small part of the 9 Barrels of Indigo, which the Master was pleased to bestow upon them; and this Deponent saith, that he was present at the Tryal of Mr. *Orpen* on the 28th of *March* last upon an Indictment concerning the said Ship, where Mr. *Orpen* made appear, that the Master had more mind to destroy than to save the said Ship; and the Master being askt by my Lord Chief Justice *Pyne*, why he turn'd the people ashore that came to bring her away to a good Harbour, and why he did not suffer her to be brought off; the Master Answer'd, that 'twas a most dismal Night and so Dark, that a Man could not see his Hand; whereupon Mr. *Orpen* call'd for an Almanck, and thereby prov'd it to be near full Moon, and by Witnesses that 'twas a Calm glorious Night; and the Master did also give a further Account, that there was but two Tyers of Sugar in the Ship at first, and that the lower of those Tyers was destroy'd by the Ships Leakiness before she came to *Gappanacoffy*, but Mr. *Orpen* alleadging, that when he Tryed the Pump the Water stunk, which denotes a Tyght Ship; The Master replyed, that the Sugar made it stunk.

Jurat. coram me, un. Justiciar.

William Sanford.

Gemitat. Kerry 28 Die

April. 1694.

J. Blenerhassett.

January

January the 28th 1694.

SIR,

THis is to acquaint you, That by Distress of Weather I was drove into this place, where I am altogether a Stranger, and want the Assistance of some good Gentleman, desiring the favour of you, not doubting your Assistance to one in a Strange Country, and in such Distress, and not having a Sail left, and our Ship Stranded ashore, it what Serves from your Servant to Command,

From Mr. Sullivan at Cap-
panacoffy, pray send by
the bearer two or three
Lines.

Christo. Lyell.

To the Reverend Mr. Thomas Palmer.

January the 30th 1693.

I do hereby Certifie to all whom it may concern, That I have Impowered and Authorised Richard Clark, Samuel Aldwell, Bryen Kelly, Charles Carthy, Dermot Sullivan and Dermot Sullivan Junior, to go on Board the Ship Laurell, to possess and make use of all what they can find there, as also the Ship and Rigings thereunto belonging, and do Promise and Oblige my self to give the said Parties the one Moity of the said Ship and Goods, as Salvage. Given under my hand,

Witness,

Enoch Hoare.

Christo. Lyell.

WHereas Christopher Lyell, Master of the Ship Laurell, has lately given us a Paper under his hand to go on board the said Ship, as she was in distresse in the River of Killmore, for which we were to have half of what could be Saved of the said Ship
and

and Goods on board her, According to the Tenor of the said Paper: We do for the Manifestation of Justice and Truth, hereby aver and declare to have been no otherwise concern'd therein, then as friends of Mr. *Richard Orpen*, and Employ'd by him upon that service, to whom we attribute the true Right of Salvage of what was saved of the said Ship and Goods. Witness our hands this 23d day of February, 1693,

<i>Ri. Clark.</i>	<i>Cha. Mac Carthy.</i>
<i>Dermot Sullivan.</i>	<i>Sa. Aldwel.</i>
<i>Dermot Sullivan.</i>	<i>Bryen O Kelly.</i>

By the Right Honourable Sir Richard Pyne, Knight, Lord Chief Justice of their Majesties Court of Common Pleas, and one of their Majesties most Honourable Privy Council of Ireland.

WHereas I have received Informations of Felony against *William Sanford, Charles Mansfield, Teige Donoghue, Daniel Tartaine, Cnoghor Turtaint, Charles Arthur, Chomly Parker, Tho. Gall, Junior, Robret Payne, Owen mac Daniel, Peter Hamison, John Bush, Teige Mac Caron, John Reagh.* These are therefore in their Majesties name strictly to Charge and Command you and Every of you, upon sight hereof, to make Diligent Search for all and Every of the said persons, and them to apprehend & bring before me, to answer to all such matters and things as on their Majesties behalf shall be objected against them. And for your sodoing, this shall be your Sufficient Warrant. Given under my hand and Seal this 23d of March 1693

Ri. Pyne.

*To the High Sherif of the County of Kerry
and all High and Petty Constables with-
in the same County.*

2d April

2d April 1694

J Captain Charles Carthy, do hereby declare and avers
 That Edward Herbert High Sheriff of Kerry, did a-
 bout the first of March last. desire one Mr. Bryen
 Kelly and my self, to go to Mr. Richard Orpen, and to
 advise him the said Orpen to give him the said Sheriff
 Twenty Guinnyes; And that he the said Sheriff would com-
 pose all differences between Mr. Orpen and Christopher
 Lyell, the Master of the Laurell, and would be above
 threescore Guinnyes in Mr. Orpens way, and would Set-
 tle matters with Mr. Lyell to Mr. Orpens content: And
 the Sherif did further promise Mr. Kelly and my self,
 That we should have share of what he could get from Mr.
 Orpen. And that the said Mr. Kelly and my self, did
 Accordingly speak to Mr. Orpen; whose answer was, That
 if the Sheriff would do him any Service, he would deal with
 him like a Gentleman; all which I will Justifie upon Oath,
 if need be.

Gha. mac Carthy.

L Uke Parker of Glannecroughs in the County of
 Kerry, Gont. came before us this day, and made
 Oath, that he was one of the English which were
 employd by Mr. Richard Orpen before the last War, to go
 along with him in Arms, to hunt Tories in the Countyes of
 Cork and Kerry; And further saith, that he this Depon-
 ent, with the rest of the People employd to go along with
 the said Orpen, took ten most notorious Robbers, who had
 been at the Robbing of a parcell of French Hugonots,
 which by strefs of Weather were forced into the West of
 Ireland, and three of those who murder'd and Robbd some
 English near Killarny, in the County of Kerry, And sever-
 rall of Caprain Poor's company, who after Poor was
 hang'd, came down from Waterford County to the Coun-
 ty of Cork and Kerry, And murdered Jeromy Carshys's
 Brother, And comitted several other murders and Rob-
 beries; And several of the County of Cork Toryes, who
 had Robbd Mr. Wells, and other Bandon Gentlemen, of

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great

great Sums of Mony, And of *Kerry Toryes*, who had once Surprized *Mr. Orpen*, when he had only one Friend along with him ; But unsuccessfull, for *Mr. Orpen* and his friend wounded several of them ; And were closely pursu'd by *Mr. Orpen*, this Deponent, and others, to the taking of three. And great Numbers of other *Toryes*, Robbers, Murderers and Thieves, amounting in all to the Number of fourscore and two, wounded, taken and brought to the Goals by the said *Orpen*, and his English friends, in the years 1685. and 1686. to the great terror of Malefactors, and the general quiet of that part of the Kingdom, there being not a *Tory* left thereabouts, untill the troubles began ; And then the friends of the *Tories* came in revengefully upon the said *Orpen*, and Robb'd him of about a thousand head of Black Cattle, And took away from him three Ship load of Iron Mine, and a great stock of Charcoal, and several quantities of Bar Iron, and Robb'd him of all his Substance, and so they did to this Deponent, and the Rest of the said *Orpen's* English friends, who had been Serviceable in bringing in the said *Toryes* ; And saith, that Since April 1693, about which time the said *Orpen* Returned from the War, he hath brought in the Number of ten most bloody Murderers, *Toryes*. and Robbers, taken in the Countyes of *Cork* and *Kerry*, Vouchers for which, are now producible.

Taken and Sworn before us

Lnke Parker

the 25th May 1694

Ed. Denny, J. Blennerhasser.

I *Dermot Fallvey* of *Fahagh* in the County of *Kerry* Gent. do hereby aver and declare, that I was call'd about the eighth man to be upon the Petty Jury empannell'd at *Tralee*, at the last Comission of *Oyer* and *Terminer*, held there on the 26th day of *March* last, to try *Richard Orpen* and *Thomas Crump*, and other Traversers ; And that I answer'd to my name, but was not put upon the

the said Jury, though not excepted against by any person; yet several others were call'd after me; and put upon the said Jury; But how I came to be left out after I was call'd and answer'd, I know not. All which I am ready to depose, when thereto required, as Witness my hand this first of April, 1694

Der. Falvey

William Sanford of Killowen in the County Kerry Gent. came before me this day, and made Oath, that on the xth of February last, in the morning, Captain *George Gregory*, being at *Roghty Bridge* in *Glan-norought*, in the said County, had intelligence that the Toryes, to the Number of about twenty five, (among whom was *Dermot Leary* and *Cnehor Boy*) were making themselves merry at the house of one *William Bush*, near a mile and half from *Roghty Bridge*, whereupon the Captain went out after them with a Party of about twenty Soldiers, And severall of the English inhabitants went also along with him, making in all Six and twenty armed men; But the Toryes having an account that a party was coming after them, hastned away towards the *Glinns*; And the Captain and the twenty Six men Marcht after them with all Speed, and in less then three miles March, being upon the top of a hill, they got sight of the Toryes, And they were but a Mile, or thereabouts, from them; And having discovered them plainly by their Number and their Arms, the Captain would not let his men go any further; and this Deponent, and one *Mr. Benjamin Taylor*, did much importune the Captain to let the party be Guided by them two; and that they would shew them a by-way, and bring them upon the Toryes before they could be aware of them; But the Captain refused; And said that he had no mind to follow the Toryes any further. Then they begg'd the Captain to let the party go directly with them, and try to overtake them, which the Captain allow'd of in the manner following, *Viz.* he call'd to the Corporal

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and

and bid him go with the party to the Toryes who were then before their faces, and if the Toryes should not stay for them, to go no further, but to return back again; whereupon this Deponent, with the other English and the Soldiers, left the Captain upon the hill to behold their Success, and went towards the Toryes, who had refreshed themselves (while the Captain and the party were considering) and made all the hast they could away; and this Deponent and the rest of the party soon came to the Ground where the Toryes had been, And found that they had gained half a mile in thar miles pursuit; but when they came there, the Corporal, according to the Captains orders would not suffer the Soldiers to pursue any further; And saith, that with much ado, he this Deponent, Mr. *Benjamin Taylor*, and one *Nicholas Rouse*, prevailed with three of the Soldiers to keep on with them still after the Toryes; And saith, that these Six men came up near the Toryes in less then a Miles pursuit, and fired several shots in among them; But saith, that considering that they were but Six to this great Number of Toryes, and that the rest of the Soldiers stay'd behind; they did not think it prudent to pursue them any longer, but returned again to the rest of the Soldiers, where they had left them; And as soon as they came to them, the Corporal beat the three Soldiers for going beyond their orders, And this Deponent saith that he verily believes that if *Cap. Gregory* had suffer'd his men to go on with this Deponent and the English of the Country, They had in all probability kill'd and taken the greatest part of these Toryes, It being in the Morning in an open Country and a very fine clear day.

Jurat coram me, 18

die April 1694.

J. Blencroft a Ter.

William Sanford.

Hugh

Hugh Hutchinson Gent. being duely sworne on the Holy Evangelists of God, and examined, saith, That on or about the eighth day of *February* last past, he this Examinant was in *Glanerough*, where one Mr. *Richard Orpen* of that place, gave notice to one Captain *George Gregory* and the Soldiers under his Command, (who were then at a Village called *Killowen*) That the Tories were then in a small Cops, or Wood, about a quarter of a mile distant from the said Village; whereupon the said Cap. *Gregory* and his men, in company of the said *Orpen* did beat up and search the said Cops or Wood, but not finding the Tories, they returned back; this Examinant farther saith, that after the Soldiers aforementioned were return'd, the said *Orpen* continued beating and searching the said Cops, and at length discover'd the Tories, and by the Noise and Shouting which he made, gave Notice to the aforesaid Soldiers, who return'd to the said *Orpen* without their Captain, and then the said *Orpen* brought the Soldiers aforesaid close upon the Tories, but the said Soldiers did not engage them, but return'd again without giving the Tories any farther Trouble. The next day this Deponent askt one Corporal *Mills*, who Commanded the Soldiers, why they did not fall upon the Tories? The said *Mills* Replyed, That they had no Order to Fight, and had they lost a man, they should all have been question'd for it; and farther this Deponent saith not.

Sworn before me *Ja. Burrowes*
Sovereign of *Kinsale* in
the County of *Cork*, this
18th of *June* 1694.

Hu. Hutchinson.

Thomas Donoghue of *Glanflesk*, Gent. being duely Examined and Sworn upon the Holy Evangelist, saith and Deposeth, that about the 17th day of *October* last, he apprehended one *Enoch Boy* (a Spy)

Spy) in *Glanflesk*, and carried him prisoner to the Garrison of *Ross*, where he the said Boy remained, until the 28th of *October* aforesaid at Night; he made his escape, and carried away with him his Bolts, and the Centinels *Mulquet* (as he this Deponent was credibly assured by the Soldiers of *Ross*) and this Deponent further saith, that on the 2d or 3d day of *November* following, he went forth with a party of Soldiers, by the Command of *Capt. Michall Cunningham* (who was vexed at the Escape) to hunt for the said *Cnohor Boy*; and saith, that he Ranged several Glins and Mountains, but could not find him; and saith, that he went forth at several times afterwards with the Soldiers, in quest of the said Boy, by Order of the said Captain, who was still very intent to have the said Boy brought in and taken; and saith, that at length the said Boy did set up a Company of Tories for himself, and became a very great Robber; and further saith not, &c.

Jurat coram me, 4 Die

Teige Donoghue.

Jun. 1694.

J. Blenerhasset.

Glauncrough 20th Oct. 93.

Dr. Brother,

I am certainly enformed, That one *Cnohor Boy*, a little pretty black young fellow is brought into *Ross*, upon Account of Tory business by one *Teige Donoghue*; if so, I conceive it a very great imposture; for this *Cnohor Boy* is the Man who brought me upon the Tories which set upon you and me, when I took four and had them hang'd, except one that died of his Wounds in Goal in *Cork*, and this very fellow I have lately employed to set the Tories for us, that I might come upon them with this Party: and so suspicious were the Tories of it, that they took him

him and half hang'd him; yet finding him Railing so vehemently against me, they thought it cordial, and set him at Liberty; and I still hop'd for my design, if he has not acquainted any of you with this matter; it's for fear of having it take Air, for should it be given out, he would certainly be cut in pieces by many hundreds, that are not known to be Tories, this I earnestly desire may be seriously weighed by the Captain, so as Cnohor Boy may be suffer'd to have his Liberty by Escape or otherwise; unless some good man makes some Hainous thing against him; and now since they have exasperated him, let him come to me, and I will engage he will not spare his Life to pursue the greatest Rogues of them all: You may acquaint the Captain, that I have settled all things between the Country and the Soldiers to the content of both sides: I troubled him lately with a Letter about O Sullivan, but I doubt he received it not. Pray desire Tom Dunn to come as soon as he can with Leather and Nails to cover the 2 Trunks he saw,

Your Affectionate Brother.

To Mr. Thomas Crump
at Killarny,

Ri. Orpen.

Ros, October the 29th 93.

SIR,

I Have perused your Brothers to you, and do not in the least doubt but what he Writes may be much the Truth, but no doubt this fellow is a very great Rogue, and has been guilty of many Villanies; I am credibly informed, That he is one of the very greatest Rogues that was in the whole Mountains; and let O Donohue be the greatest Rogue in Christendom, it was good Service done by him to take this fellow; and I cannot nor will not on sight Terms part with him; as for that Letter Mr. Orpen says, he sent me when O Sullivan More came over; I do not remember

member I received any such, which with my hearty Service is the needful,

S I R,

To Mr. Tho. Crump
at Killarny.

Your Humble Servant.

Micba. Canningham.

Comit. } John Sughrue Aged 30 Years, or
Kerry. } *thereabouts, being Sworn on the
Holy Evangelist before me, saith
as followeth.*

THIS Deponent saith, That on the 19th of Febr. 1693. he this Deponent was Apprehended and made Prisoner, by one Serjeant *Thomas Fullerton* of Captain *Gregory's* Company at *Killowen* in the said County, by the Order of the said Captain in his Letter to the said Serjeant, and Corporal *John Mills* pretending this Deponent had bought Goods belonging to a Ship then in *Glanerough*; that on the 20th of February aforesaid, this Deponent in his Confinement under a Guard of six Armed Men, was carried over the *Mangarton* to *Killarney*, and from thence to *Ross*; and that the said Capt. Ordered, That none of the Soldiers that could Accuse this Deponent, should be brought with him; this Deponent being in his Confinement at *Ross*, was brought before the said Cap. and Examined on the said matter; and required to give back the Goods bought from the Soldiers, to which this Deponent Answered, that he had none, nor never bought any from them; upon which the Capt. Swore he would transmit him this Deponent Prisoner, by the way of *Kinsale* and *Cork* to *Dublin*, which struck a great Terror in this Deponent, tho' Innocent; on the 21st of February aforesaid, the Soldiers were sent

sent for, in regard this Deponent would not Confess, and Examined on the said matter, who upon their Examination declared upon Oath, That this Deponent never Traded or Dealt with them for the Value of a Farthing; that after the said Declaration the Captain sent for this Deponent, and confessed to him he was clear from the matter of buying Goods, but said he would not part with him, that he had other matters which in a long time afterwards, he said it was for Harboursing of Tories, to which matter this Deponent offer'd to appear, and begg'd to be brought before a Magistrate to give Bail, or to be committed to the County Goal, all which was refused him; but still kept in hard Confinement, until this Deponent made a Composition in favour of himself, and one *Walter Nagle* then in Confinement, to pay six Guineas to the said Captain for this Deponent's and Mr. *Nagles* Liberty; and the Captain to be assistant to *Nagle* in concealing the Goods bought as aforesaid, and to put back all the Informations that thereupon was made; upon which Composition this Deponent and Mr. *Nagle* were Enlarged, and a Letter given *Nagle* to the Sergeant and Corporal, to forbear searching; and if any Goods of *Nagles* were discovered, to lay them aside for him, and that they had compounded one with another, That notwithstanding they took a Barrel of Indigo, two Large Bags of Cotton, and some Sugar from Mr. *Nagle*, as also took a Large Barrel of Indigo that Mr. *Richard Orpen* Lodged with this Deponent to keep, which was in the Collectors Account, in the Master of the Ships Account, and in all other Officers Accounts. That in their way to the place where the said Goods lay, they pressed Men and Horses, and Bags, some of which they never since returned, and committed several other Insolences in Mr. *Mahony's* House, and further saith not.

Juras coram me, 2 Die

May, 1694.

J. Blenerhasset.

J. Sugbrus

O On

ON the 28th of January 1693. in the Morning about 7 or 8 a Clock, the Ship *Laurell* of *London* drove up to *Cappanacossy*, and came on shore there about 2 or 3 Miles from my House, and about Noon, the Master writ to me that she was in distress, and had not a Sail left, and desired my Aid, whereupon I went to him and found him and all his Men ashore, at the House of *Mr. Dermot Sullivan* of *Cappanacossy*, making themselves and some of the Country people merry with Rum and Sugar, and that the Master, Passengers and Company had forsaken the Ship at *Black-Water-Mouth*, about two Miles below *Cappanacossy*, without leaving any Soul on board her; when I saw how the Ship was, I advised the Master, Passengers, &c. to betake themselves to their Ship again, she being past danger, and promised him all the Assistance I could; but the Master seem'd to have no mind to go on board her any more, or to have any regard to her Preservation, until I understanding that they had some Bags of Money and Treasure with them ashore, I told them that the Country abounded with Tories and ill people, and desired them to carry their Money on Board, and stick to their Ship, and withal told them, that she was the best Garison in the Country; upon which Apprehensions of the Tories, they hastned on board again with their Money; I took leave of them that Evening, and sent them about half a Dozen Soldiers to Guard them, and sent likewise several Boats and Men to bring her away to a good Harbour; but some of them returned again, and told me, that the Master and Men on board minded nothing but drinking, and none of them took any manner of care for the Ship; next Morning about 10 a Clock, the Mate, one *Mr. Myars* a Jew, *Peter Row*, and one *Mr. Spyers*, with several of the Ships company came ashore to my House, and brought with them 2 or 3 Sea Chests, wherein I concluded were some Changes of Cloaths to refresh themselves ashore; not in the least thinking they had brought

brought their Money in these Chests, having before told them, that their Ship was the best Garison in the Country; and after they had Eaten and Drank, I rid down to the Ship along with Mr. Myars, and took along with me my Son-in-Law Mr. Orpen, who had judgment in Shipping, to advise with the Master to get the Ship into a Harbour, who went on Board with the said Myars, leaving me on shore, where he stay'd about 2 hours, and returned back again in the Evening with Mr. Myars, and among other Discourses at my House, the said Peter Row gave me a Note of some Goods which he had on board, and desired me to employ some persons to save them; whereupon I employ'd my Son Orpen to do it; That Night being the 29th about midnight, the Tories came and set my House on fire in several places, and fired several Shots in at the Doors and Windows, and we fired at them again; but the fierceness of the Fire increased, and the Key being lost, we were forced to break open the Door, and submit our selves to the Tories, who forthwith entred the House, and Mr. Myars shew'd them the Chest which had the Treasure, and they dragg'd it out and brake it open, and carried away what they found in it; all this while Mr. Myars, or any other Body, never told me that they had brought this Treasure to my House, until after my House was Burnt and Robb'd; the next day being the 30th, I was told the Master quitted the Ship, and left her to the Country; all this in *Verbo Sacerdotis*, I aver to be true, as Witness my Hand
June the 2th 1694.

Tho. Palmer.

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The Collectors Letter.

Tralce the 20th of February, 1694.

S I R,

I Had sooner Answer'd yours of the 10th, but that I was then from home, at one of the Remotest Places in my District, occasioned by the coming of the *London-Guinycoast Frigate* homeward bound at *Ventry* near *Dingle*, which having very narrowly escaped the Seas, had well nigh Perished in the Harbour; for coming into the Bay, she ran up towards *Castlemain*, not knowing the Land; but our Boat going out timely, gave her a Waft and brought her into safe Anchoring: I suppose you have sufficiently heard of the Privateers coming into the River of *Killmare*, and taking the Ships thence; they had likewise Intelligence and Design to carry off this; but my going, and sending Express after Express, partly prevented it; the Captain of her, tho' his Chance such, is a Rugged, Resolute, Stout Fellow; that will stand to and defend her to the last, so that I reckon her in no great Danger, unless he be very much over matcht, while the few Soldiers and the English that are there, and he cotten so well together. During my being there, I received by 2 Expresses Notice of another homeward bound Ship the *Laurel*, also of *London*, stranded within the River of *Killmare*, which being very unusual, hastned me from the utmost corner over the Mountain to her Relief; but alas, I came too late to prevent the mischiefs done her, or to save any considerable part of her Cargo, tho' I have done all that was possible in me to serve the Merchants by preserving what could be found by the strictest searches and

and Examination; yet it may perhaps be difficult for me to Escape free from Censure and Calumny, that came not to the place not till eight days after the Rumage, or Scramble, and none hath yet tender'd himself to be examin'd only the Ship Carpenter, whose Examination I here enclosed send; and if you will accept of the rest upon common fame, as well touching your friend Mr. *Orpen*, as the Captain and Crew's behavior, It appears to me that the latter, upon what reason, or without they had a mind to forsake the Ship, and consequently to ruin Her and the Cargo, for they carryed their money ashore on the 28th past, and left her to take her chance, when she came ashore presently near the upper end of the River, but fled now and then, when they went aboard again, having made several holes in her bottom they forsook her out right, and then Mr. *Orpen* went to save what he could, but too late; who I understand used all means possible to preserve her and the goods. The latter were in a manner destroy'd before he went aboard by the Rable, and water, which was got into her, especially the Sugar. When I came there, I found he had taken much pains and care therein and appeared ready to give me an account of what was saved, and how he had laid the goods with the best safety he could into the most convenient houses for that purpose; and the Master and Passengers promised he should have a reasonable salvage; as for the money which they were Robbed of, 'twas carryed ashore privatly by themselves; So that he had no hand in saving of that; if he had, it had been better for them, for he would undoubtedly have managed with more prudence. But that Reverend worthy man Mr. *Palmer*, is ruined by it; having his house (where the money lay) and all his Substance burnt by the Tories. Next morning after I came there, I got the Master to go aboard, who I must say, in the condition the Ship was then in, had but little regard of the whole; for he stayed but some few hours on board; so that I had somewhat to do to perswade him to go to her again till about the 12th I did again importune him

to

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as looks after her, the Crew was gone before I came there.
He shewed me an imperfect Envoyce but not the former
Masters Pocket Book, for you must conceive that this man
was not Shipr as Master, but the Master dying at Sea,
he appointed this Man to conduct the Ship home. Pray
let me hear from you as oft as any thing occurs, and
Oblige

S I R,

For Mr. Thomas
Dance, Dublin.

Your most Affectionate

Humble Servant

Cha. Monk.

10 JY 57

F I N I S.

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